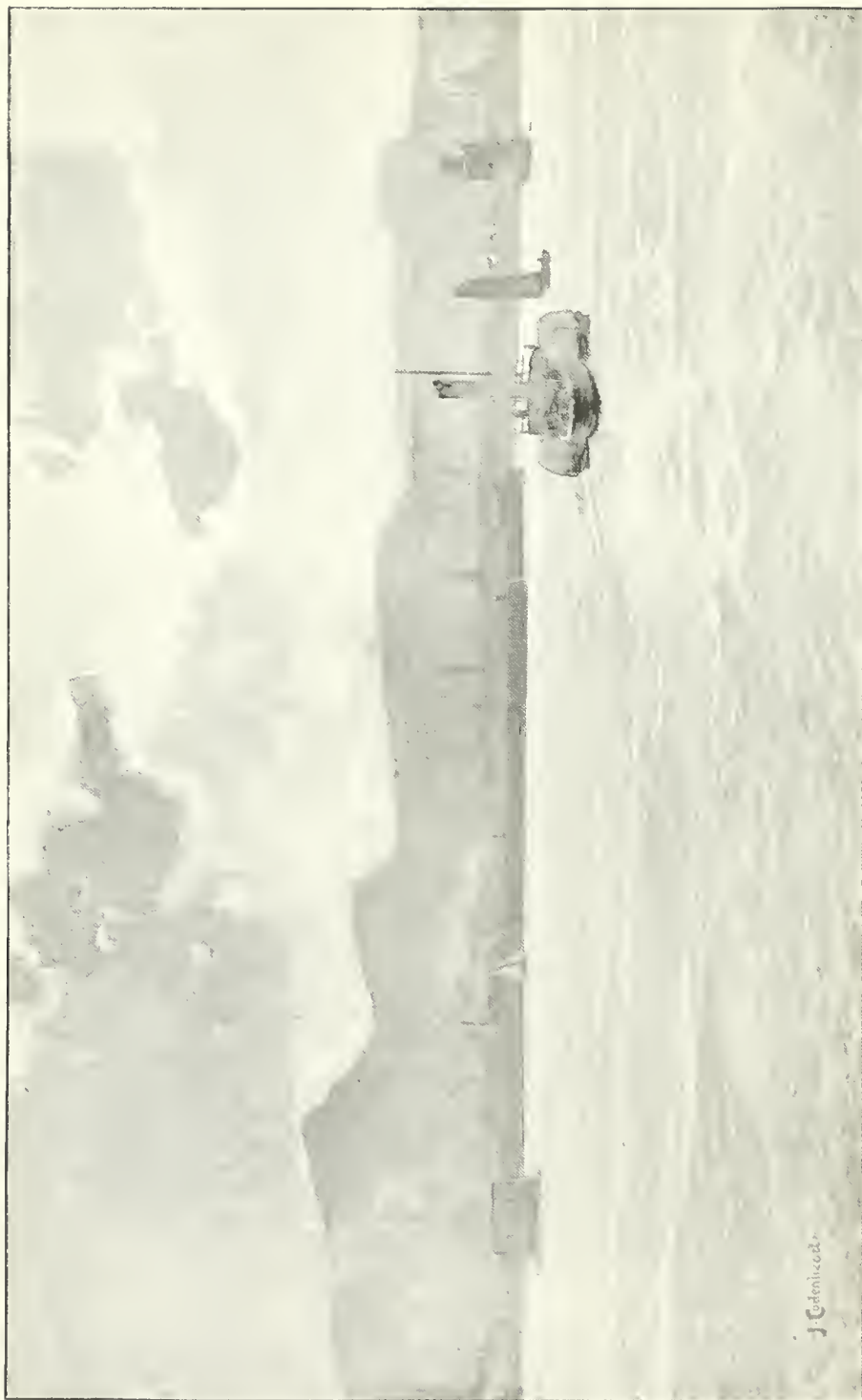






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HISTORICAL NOTES
CONCERNING
LEITH AND ITS ANTIQUITIES



LEITH FROM THE FIRTH OF FORTH.
(From drawing by J. Colquhoun, Esq.)

J. Colquhoun

LEITH

AND ITS

ANTIQUITIES

From the Earliest Times to the close
of the Nineteenth Century

*With numerous Illustrations, Biographical Sketches and
Portraits of the Members of Parliament, Provosts
Distinguished Ministers, &c. &c.; also, an
Appendix of Charters, Deeds, and Docu-
ments, relating to the Burgh*

BY

JAMES CAMPBELL IRONS, M.A.

Author of Manual of Police Law and Practice
Manual of Dean of Guild Law, Life and
Work of Dr. Croll, F.R.S.
etc. etc.

VOL. II

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CONTENTS

VOLUME II

CHAP.	PAGE
I. The Polity of the Church	1
II. Pestilence in Leith	14
III. Leith and Piracy in the Sixteenth and Seventeenth Centuries.	38
IV. The Last of the Logans of Restalrig	52
V. James I. of England	56
VI. Manners of the Times—Taylor, the Water-Poet—Ben Jonson	61
VII. Pilrig House	71
VIII. Superiority of Leith	76
IX. Charles I.—The Civil War	94
X. The Cromwellian Invasion and Occupation	107
XI. The Citadel.	117
XII. From the Restoration to 1699	126
XIII. Captain Greene—First Dock Extension—The "Fifteen"	144
XIV. The Spirit Duty—Emancipation of the Incorporated Trades—The Meal Mob—The "Forty-Five"	153
XV. The first Improvement Act—Mutiny of the Highlanders—Paul Jones	166

CHAP.	PAGE
XVI. Minor Events during the Eighteenth Century .	180
XVII. Worthies of the Eighteenth Century . . .	187
XVIII. The Docks, 1798-1836	198
XIX. The second Police, etc., Act, 1806—The Visit of George IV.—Leith first lighted with Gas .	222
XX. The third Police Act, 1827—The Parliamentary Reform Act, 1832—The Municipal Reform Act, 1833	233
XXI. The Sequestration of the City of Edinburgh in relation to the Port of Leith	254
XXII. Mr. Labouchere's Report	275
XXIII. The City Agreement Act	293
XXIV. New Docks	299
XXV. The Queen's Visit in 1842	306
XXVI. Minor Events during the first half of the Nine- teenth Century	311
XXVII. Municipal and Local Affairs from 1846 to 1885 .	324
XXVIII. Municipal and Local Affairs from 1887 to 1896 .	342
XXIX. The Docks—The Edinburgh Dock—Dock Ex- tension in 1892	356
XXX. Minor Events during the latter half of the Nineteenth Century	362
XXXI. Notes on the Shipping of Leith	380
XXXII. Leith Golfing—Leith Races	400
XXXIII. Porters, Carters, Meters and Weighers . . .	418
XXXIV. Communion Plate of South and North Leith Churches—Leith Communion Tokens . . .	426
XXXV. Leith Walk—The Stage-Coaches	433
XXXVI. Restalrig	446
XXXVII. Newhaven	456

BIOGRAPHICAL NOTICES—

MEMBERS OF PARLIAMENT FOR THE LEITH DISTRICT OF
BURGHES :

	PAGE
Sir John Archibald Murray	473
Lord Rutherford	476
Lord Monereiff	480
Sir William Miller, Bart.	484
R. A. Macfie, Esq.	487
D. R. Macgregor, Esq.	491
Andrew Grant, Esq.	493
William Jacks, Esq.	496
Right Hon. W. E. Gladstone	499
R. C. Munro-Ferguson, Esq.	511

PROVOSTS OF LEITH :

Provost White	516
Provost Reoch	518
Provost Hutchison	521
Provost M'Laren	525
Provost Philp	527
Provost Taylor	529
Provost Lindsay	531
Provost Watt	534
Provost Henderson	538
Provost Pringle	542
Provost Aitken	546
Provost Bennet	549
— — — — —	
Bailie Archibald	551

BIOGRAPHICAL NOTICES—*continued*

DISTINGUISHED DIVINES OF LEITH :						PAGE
Rev. David Lindsay	.	.	.	.	.	555
Rev. John Colquhoun, D.D.	.	.	.	.	.	558
Rev. John Logan	.	.	.	.	.	560
Bishop Forbes	.	.	.	.	.	564
Rev. David Johnston, D.D.	.	.	.	.	.	567
Rev. John Smart, A.M., D.D.	.	.	.	.	.	571
Rev. Francis Muir	.	.	.	.	.	575
Rev. William Smith, D.D.	.	.	.	.	.	577
Rev. Principal Harper, D.D.	.	.	.	.	.	580
Rev. James Fairbairn, D.D.	.	.	.	.	.	583
Professor Stevenson, D.D.	.	.	.	.	.	586
Rev. James Grant, D.D.	.	.	.	.	.	589
Rev. Robert Maedonald, D.D.	.	.	.	.	.	592
Rev. David Thorburn, D.D.	.	.	.	.	.	595
APPENDIX	.	.	.	.	.	601
INDEX	.	.	.	.	.	629

LIST OF ILLUSTRATIONS



VOLUME II

	PAGE
1. Leith from the Firth of Forth	<i>Frontispiece</i>
2. Sculptured Lintel in Chapel Lane	13
3. Sculptured Stone in Mill Lane	60
4. Sculptured Lintel in Meikle's Close	70
5. Pilrig House	74
6. Autograph Letter of Charles I.	94
7. Old House in Water Lane	106
8. Sculptured Monogram of Earl of Carrick	116
9. Stone in North Leith Burying-ground	118
10. Oliver's Mount	125
11. Doorway and Stair Window in the Shore	136
12. The Shore of Leith	137
13. House in the Shore	137
14. Sculptured Stone in Smeaton's Close	143
15. Leith Harbour in 1710	146
16. Doorway in Quality Street	152
17. "A Serious Confab"	154
18. Doorway of Lord Balmerino's House	162
19. Decoration above a Doorway in Lord Balmerino's House	163
20. Decoration above principal Doorway in Lord Balmerino's House	165
21. Note of the Edinburgh and Leith Bank	178

	PAGE
22. Note of the Leith Banking Company	178
23. Leith Halfpennies	179
24. Doorway in the Shore	182
25. Sculptured Tablet in Vinegar Close	186
26. Sculptured Stone in Storey's Alley	197
27. The Back of Old Leith Pier	198
28. Signal Tower and Pier about the end of the Eighteenth Century	218
29. Leith Harbour about 1830	221
30. Landing of George IV. at Leith	230
31. Firth of Forth from Wardie	232
32. Leith Pier about 1840	305
33. Visit of Queen Victoria to Leith	309
34. The Old High School	311
35. The Custom House	312
36. Custom House, 1812	313
37. North Leith Parish Church	314
38. St. Andrew's Place United Presbyterian Church . . .	317
39. St. Andrew Street United Presbyterian Church, 1788 .	317
40. Municipal Buildings	319
41. Leith Hospital	323
42. The last Leith Police Commission, 1877	334
43. The Earl of Rosebery	340
44. Sailors' Home	340
45. Landing of the Czar Nicholas II. at Leith	355
46. Corn Exchange	363
47. Premises of the Scottish Wholesale Co-operative Society, Leith	368
48. Chancelot Flour Mills	369
49. Laying of the Foundation Stone of the New High School	373
50. The New High School	374
51. Ship Carpenters' Arms	399

LIST OF ILLUSTRATIONS

xi

	PAGE
52. Arrest of Sunday Golfers	401
53. Honourable Company of Golfers: Certificate of Membership (1791)	409
54. Leith Races	415
55. Porters' Arms	420
56. } South Leith Church Collecting Plates	430
57. }	
58. Communion Tokens	430-432
59. Restalrig Church (present day)	451
60. Newhaven Fishermen (present day)	469
61. Newhaven Fishwives (present day)	470
62. Sir John Archibald Murray	473
63. Lord Rutherford	477
64. Lord Monereiff	481
65. Sir William Miller, Bart.	484
66. R. A. Macfie, Esq.	488
67. D. R. Macgregor, Esq.	491
68. Andrew Grant, Esq.	494
69. William Jacks, Esq.	496
70. Right Hon. W. E. Gladstone	500
71. R. C. Munro-Ferguson, Esq.	512
72. Lady Helen Munro-Ferguson	513
73. Provost White	516
74. Provost Reoch	519
75. Provost Hutchison	522
76. Provost McLaren	525
77. Provost Taylor	529
78. Provost Lindsay	532
79. Provost Watt	535
80. Provost Henderson	538
81. Provost Pringle	542
82. Provost Aitken	546

	PAGE
83. Provost Bennet	550
84. Bailie Archibald	552
85. Rev. Dr. Johnston	568
86. Rev. Dr. Smart	571
87. Rev. Francis Muir	575
88. Rev. Dr. Smith	577
89. Rev. Dr. Harper	580
90. Rev. Dr. Fairbairn	584
91. Rev. Dr. Stevenson	587
92. Rev. Dr. Grant	590
93. Rev. Dr. Maedonald	593
94. Rev. Dr. Thorburn	595
95. Window in Lord Balmerino's House	598

HISTORICAL NOTES
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CHAPTER I

THE POLITY OF THE CHURCH

KNOX's attempt to recover the patrimony of the old Church for the maintenance of the Protestant clergy, the promotion of education, and the relief of the poor, had been scouted by the Scottish nobles as a devout imagination. Mary's arrangement for the support of the Protestant clergy seemed at first advantageous to all parties concerned, but turned to little or no profit in the end; for the prelates and other holders of benefices undervalued their rents, and made up a third which did not suffice to provide for the ministers when their number increased.

On the death of John Hamilton, archbishop of St. Andrews, Morton obtained the temporalities of the see. As it was deemed indecent for a layman to hold a benefice, he had Douglas, rector of the University of St. Andrews, nominated archbishop; and, allotting him a small pension, retained in his own hands the remaining revenues of the see. The nobles, seeing the advantages they might reap from such a practice, supported him in the execution of his plan. It

gave great offence to the clergy, who wished that the wealth that had once belonged to the Catholic prelates should now be employed in supplying such parishes as were still unprovided with settled pastors. At this juncture, to prevent an open rupture between Church and State, John Erskine, laird of Dun and superintendent of Angus, used his influence with his kinsman, the Earl of Mar, who was then Regent. An attempt was, in consequence, made to arrange the differences between the civil and ecclesiastical powers. During the month of December 1571 several conferences were held at Leith between the Regent and the Council and the superintendents and ministers. On the 12th of January 1571-72 an assembly of the Church convened at Leith, where, after great instance made with the Regent and Council for settling the policy of the Church, it was agreed that six of the Council and as many of the Assembly should be selected to treat, reason, and conclude upon that business.

These twelve convening, after divers meetings and long deliberation, came to the conclusions following:—

1. That the archbishoprics and bishoprics presently void should be disposed to the most qualified of the ministry.

2. That the spiritual jurisdiction should be exercised by the bishops in their dioceses.

3. That all abbots, priors, and other inferior prelates, who should happen to be presented to benefices, should be tried by the bishop or superintendent of the bounds concerning their qualification and aptness to give voice for the Church in Parliament, and, upon their collation, be admitted to the benefice, and not otherwise.

4. That to the bishoprics presently void, or that should happen thereafter to fall, the King and the Regent should recommend fit and qualified persons, and their elections to be made by the chapters of the cathedral churches. And forasmuch as divers of the chapters' churches were possessed by men provided before His Majesty's coronation, who bare no office in the Church, a particular nomination should be made of ministers in every diocese to supply their rooms until the benefices should fall void.

5. That benefices of cure under prelacies should be disposed to actual ministers, and to no others.

6. That the ministers should receive ordination from the bishop of the diocese, and, where no bishop was as yet placed, from the superintendent of the bounds.

7. That the bishops and superintendents at the admission of ministers should exact of them an oath for acknowledging His Majesty's authority, and for obedience to their ordinary in all things lawful, according to the form then condescended.

Order was also taken for disposing of provostries, college churches and chaplainries, and divers other particulars most profitable for the Church, as in the records extant may be seen; which were all ordained to stand in force until the King's majority, or till the estates of the realm should otherwise appoint. (Spotiswoode's *Hist. of Scot.*, vol. ii. pp. 171-72.)

These resolutions were afterwards ratified at the General Assembly held at Perth on the 6th of August 1572. Douglas was, in consequence, installed in his office; and an archbishop of Glasgow and a bishop of Dunkeld were chosen from among the Protestant clergy. But these prelates obtained a very small part

of the revenues of their sees, the example of Morton being imitated by his fellow-peers.

Very soon, however, the inferior clergy became jealous of the episcopal order. They were afraid lest the hierarchy might grow in time as powerful as ever. The chief author of these suspicions was Mr. Andrew Melvil. The Church Courts now became the arena of interminable disputes about ecclesiastical government, which Morton fomented, as they diverted the zeal of the ministers from attending to his daily encroachments on the patrimony of the Church.

After Morton's fall, two objects chiefly engaged the attention of the clergy. The one was the formation of a system of church discipline; the other, the abolition of the order of the bishops. The nobles viewed their power with jealousy; the people considered their lives as profane; and both wished their downfall with equal ardour. The firmness of the clergy in a collective body was not greater than the boldness of some individuals. In order to check the insolence of their discourses, James issued a proclamation commanding Dury, one of the popular ministers in Edinburgh, not only to leave the capital, but to abstain from preaching altogether. In this perilous situation stood the Church when a sudden revolution of the Government, known as the *Raid of Ruthven*, brought it an unexpected relief.

John Dury returned from the banishment into which he had gone in May, to resume his ministry in Edinburgh.

"As he is coming from Leith to Edinburgh, there met him at the Gallow Green two hundred men of the inhabitants of Edinburgh. Their number still increased till he came within the Nether Bow. There they

began (with bare heads and loud voices) to sing the 124th Psalm—‘Now Israel may say, and that truly,’ etc., in four parts (till heaven and earth resounded). They came up the street to the Great Kirk, singing thus all the way, to the number of two thousand. They were much moved themselves, and so were the beholders. The Duke (of Lennox, who was lodged in the High Street, and looked out and saw) was astonished and more affrayed at that sight than at anything that ever he had seen before in Scotland, and rave his beard for anger. After exhortation made in the reader’s place by Mr. James Lowson, to thankfulness, and the singing of a psalm, they dissolved with great joy.”—Cal. (*Dom. An. of Scot.*, vol. i. p. 148.)

The fortunes of the Church fluctuated with every revolution in the State. Dury, who had openly applauded the *Raid of Ruthven* in the pulpit, had to resign his charge in the city. Melvil, who had compared the present grievances of the nation with those under James III., and obliquely intimated that they should be redressed in the same manner, was summoned before the Privy Council. He declined the jurisdiction of a civil court; and ultimately, to avoid his sovereign’s displeasure, fled into England. The King now resolved on humbling the Church, and hastily summoned a Parliament on the 22nd of May 1584. The refusing to acknowledge the jurisdiction of the Privy Council, the pretending an exemption from the authority of the civil courts, the attempting to diminish the rights and privileges of any of the three estates of Parliament, were declared high treason. The holding of assemblies, civil or ecclesiastical, without royal permission, and the uttering, either publicly or privately, in sermons or otherwise, of any false or

scandalous reports against the King, his ancestors, or ministers, were pronounced capital crimes.

Very soon, however, the Acts of this Parliament lost much of their force. The clergy resolved to petition Parliament to repeal them in form. A juncture had now arrived that was favourable to their prosecution of this measure. The King had lost much of the public favour by his lenity towards Huntly and the other Catholic peers, and still more by his remissness in pursuing the murderers of the Earl of Murray. The Chancellor had not only a powerful party of the courtiers combined against him, but had become odious to the people, who imputed to him every false step in the King's conduct. Bothwell still lurked in the kingdom, and, being secretly supported by all the enemies of Maitland's administration, was ready at any moment to renew his audacious enterprises. James, for all these reasons, was extremely willing to indulge the clergy in their request, and not only consented to a law whereby the Acts of 1584 were rescinded or explained, but he carried his complaisance still further, and permitted the Parliament to establish the Presbyterian form of church government in the most ample manner.

"The Parliament, which had been now twice prorogued, did keep in the month of June [1592]. In behalf of the Church it was there petitioned, 1. That the Acts of Parliament made in the year 1584 against the discipline of the Church and liberty thereof should be abrogated and annulled, and a ratification granted of the discipline whereof they were then in practice. 2. That the Act of Annexation should be repealed, and restitution made of the Church's patrimony. 3. That the abbots, priors, and other prelates bearing the titles of Churchmen, and giving voice for the Church, without

any power and commission from the Church, should not be admitted in time coming to give voice in Parliament or Convention, in their name. And 4. That a solid order might be taken for purging the realm of idolatry and blood wherewith it was miserably polluted. The second and third petitions rejected, consultation was taken about the other two; and for satisfying the last, it was condescended, 'That saying of mass, receiving of Jesuits, seminary priests, and trafficking papists against the King's majesty and the religion presently professed, should be a just cause to infer the pain and crime of treason against Jesuits, mass-priests, trafficking papists, and their reseters'; with a provision, 'That if the Jesuits and seminary priests did satisfy the prince and the Church, the foresaid penalty should not strike upon the reseters.' Which in effect was no restraint, neither was the trafficking against religion declared to be a crime of treason, unless the same was proved a trafficking likewise against the King. So in this point the Church received small satisfaction. As to the complaint of blood, the same was remitted to the ordinary course of justice." (Spottiswoode's *Hist.*, vol. ii. p. 420.)

"The aw of Boduall's remeaning alwayes within the contrey, and often tymes hard about the Court, togidder with the horroure of the deid of Dinnibirsall, quhilk the unburied corps, lyand in the Kirk of Leithe, maid to be nocht onlie unburied amangs the peiple, but be comoun rymes and sangs keipit in recent¹ detestation, alsmikle as the publict threatning of God's judgments thairupon from pulpites, obtained (at the Parliament houldin at Edinbruche in the monethe of Junie 1592, for better expeding of the forfaultrie of

¹ "Fresh," *Lat. recens.*

Boduall) by ¹ our expectation, that quhilk haid cost us mikle pean in vean monie yeirs befor, to wit, The Ratification of the Libertie of the Trew Kirk, of Generall and Synodall Assemblies of Presbyteries, [and] of Discipline." (Melvil's *Diary*, p. 294.)

The church of South Leith, as we have seen, is of very ancient origin. Unfortunately, its earlier records were not preserved, the earliest register extant being 1588-96. The following entries give a picture of the life of the people of the period. From this it appears that the elders and deacons were elected annually. On 25th May 1588 "William Brysoun, talzier, is ordanit to pay 1 lib. for breaking the Sabbath. William Penny and James Jonston, baxter, is ordanit to be wardit for disobedience." About the same date, "The said day Margaret Murray, spouse to nmqle Henrie Watt, and now spouse to Patrick Greine, in Dalkeith, was ordained under the pain of e lib. to depairt off yis towne within viij houris immediatlie yairefter." "1589, 10th February.—The quilk daye voitet by monyest that twa onlie sall visit everie Soneday with ane officear, thay to be warrainet before ye sessionne yat dois violate ye samen or else putt in ye Tolbuith. 17th July 1589.—The quhilk day compeirit Bernard Lindsay and Barbara Logan and gave up their names to be proclaimit and marreit within this date and Michaelmas. Jhone Logan, cautioner, 1591, 23 Nov." Again, "1591, 23 Nov.—The quhilk day the elders and deekins chosen for the zeir hes ratified ye foirsaid actes vnder ye said penaltie with yis additione, yat ye elderis and deekins yat beis absint fra ye preitching oney Soneday either abefoir-none or eftir-none without ane lawfull excuse allowed be the

¹ "Beyond," "contrary to."

sessioun at the day of meiting, sall pay half ane mark, and in case they refuse sall pay the double. The order of visitatioun to be as it was afore, four to visit every quarter of the toun monthlie:—1st, the Doubras; 2nd, the Hill; 3rd, Caldtoun; 4th, the Sandis;” and the entry follows—“It is ordainit yat if ony inhabitant within this toun sall be found excessive or extraordinarilie drunken, sall pay ane penaltie, according to ye discretioun and modificioun of ye sessioun, to be bestowed vpon and to the vsialtie of ye puir, and quasoever means to exempt ony sik persoun sall pay according to ye sessionis modificiouning.” In 1591, still showing the clerical power, “It is ordainit that nane shall lye in ye kirk yeard in ye tyme of preitching, or being found doing ony unlawfull deidis within ye said yeard under ye paine of warding of yair persounis.” In the same year we find the penalty carried out in respect of the surety: it is recorded 20th May 1591, “Forasmeikle as James Thomson has beine lawfullie warnit to compeir befor the Kirk of Leyth for nocht keiping the hailf days appoyntet for his publick repentance in respect of his double fornicatione, having found William Logan cationer to do the same, the baillies, with advice of the sessione, finds the cautioner subject to ye penaltie.” “1591, Vigesimo tertio Novembris.—The hail Sessione, with ane assent, has agreit that eurie persone reveiling ony conclusions of ye Sessione that aught to be keepit secret, or may prejudice ye Sessione or ony member yairof, sall be depyvit from his office, and pay e lib. to the puir, and eurie ane obliges himself yairto with thair awin assent, and ar content yat yis Act be registrat in ye buikis of ye toun, and ye baillies autoritie interponit yairto.”

The following entry indicates the origin of Coatfield Lane:—"25th May 1592, the quhilk day the Provest, Johnne Arnott, shepherd, was acted that for everie sheep he beit in the kirkyard suld pay ix merkis, and everie nye yat carried thame betuix the Coitfield and ye kirk style he suld pay v merks." "17th January 1593, ye quhilk day Gilbert Stone and his sonne was ordanit to stand at ye kirk dure, in yai lynning clais, from ye beginning of ye secund bell till ye preitching be begun and efter yat, and ye people be in, yey to be conveyit to ane forme at the bak of ye marriage stule be ye coller, and ye next Thursday ye kirk absolved thame, onlie till finding cautione yat yey never suld trouble ony within the town of Leith hereafter, as they are acted in ye town clerkis buke." "1593, 9th November, the quhilk day, in presens of the baillie, Johnne Durie, Robert Logane becam cautioner vnder ye paine of x lib. that Alex. Ruthven sall not frequent nor hant ye house of Janet Muirhead nether be nycht nor day; this ye said Robert obliged himself in the woman's name that the said Alex. sall not have entries nor access to her hous q'll ye session and the saidis parties ydytend agree yat yey may come legitmitlie togidder; and for the mair verification yeirof the said Robert hes subscriyvit yes wt his hand, befor thir witnesses, Johne Durie, baillie, and Alex. Ruthven, and the said Janet sall relyve ye said Robert of the somm of ye x lib. Robert Logan of Personis Knowes, with my hand."

The keeping of time was an important function of the Church. "1594, 11th July, the quhilk day ye session concluded and agreeit with Robt Mitchell for ane yeir, to cause to handle the knok, and hald her gangane for vi lib. Scots money, and sichlyk Wm.

Mathesoun to ring ye bellis at each sessionis and houris for ce lib., of ye qlk. ye said William hes receavit for the first quarter ye sum of v lib." It would be a good thing if the kirk session were at the present day to be as careful of the regulation of domestic worship as they were in these times: "1596, the hail session, convenit for the present year, allowed and ratified ye foresaid acts with this addition, that curie elder and deckin in thair houses at nycht efter supper, sall read or caus be red, ane chapter with a prayer and catechising the seruandis, and every morning a prayer before wark, as it is written in the end of the psalm buike."

The tranquillity of James's reign was frequently disturbed by the uncompromising attitude of the Presbyterian clergy, not only on ecclesiastical but also on political questions. More eminent for zeal than for policy, they often contradicted his opinions, and censured his conduct with a freedom equally offensive to his dogmatism as a theologian and to his pride as a king. On one matter, however, both he and they were in entire harmony. Though James sometimes connived at what they regarded real crimes, witchcraft, an imaginary one, engrossed his attention. Certain witches had been accused of having employed their art to raise the storms that had endangered the Queen's life, and which had detained James in Denmark. They were acquitted in the courts of law. This verdict did not satisfy the King, who tried them more in the capacity of a theologian than of a judge. In spite of their previous acquittal, they were condemned to be burned. The prejudices of the clergy and of the people conspired to find them guilty.

In 1597 a Leith witch named Christian Livingstone was, with some others, burned alive on the

Castlehill of Edinburgh. Being reputed to be a “wyse woman,” and having a knowledge of the art of witchcraft, she was resorted to by a baker in Haddington, who declared that “he was witchit and his gier went fra him.” Seeing the man to be a fool, Christian, like the tricksters of our own day, took advantage of his weakness, and promised to discover the manner in which he had been witched and relieve him from his predicament. The account of her proceedings reads wonderfully like some of those which are furnished by the metropolitan police courts of the present time. She took the credulous baker down his back-stair, dug a hole with a knife and took out a little bag of black “plaiding,” of course concealed by herself, from which she took some grains of wheat, threads of coloured worsted, hairs, “and naillis of mennes fingeris,” declaring that he was witched through the instrumentality of these trumpery. For this getting of money under false pretences, which would have been fully atoned for by three months’ hard labour, the poor woman was condemned to be “werreit at ane stake quhill sche be deid and her bodie to be brunt in assis.”

The following is an account of her trial:—“12th November 1597.—Janet Stewart in the Cannongait, Christian Livingstoun in Leyth, etc. Verdict: the quhilk daye, the personis of assyze being chosin . . . Henry Lummysdane, chancellor, . . . pronouncit and declairit the said Christian Livingstoun to be fylit and convict of the abusing of Thomas Gothray, baxter in Haddingtoun, vnder pretext of witchcraft, quha addressit himself to the said Christian as ane wyse woman haiffing knaulege in the fairsaid airt, and said to hir that he was witchit and his geir went frae him, quhilk sche affirmit to be true and promisit to help him,

and suld let him see quhair the witecraft was laid . . . lyk as ye morne yaireftir sche tuik him doune his awin stair and hakkit ane hoil with ane knyfe, and tuik out a little polk of black plading, quharin was some pickles of quheit (wheat), sum threids of wurset of diuerse cullouris, hairis, and nailis of mennis fingeris, and affirmit he was witchit be that meanis. . . . And aftir hir cumming they tuk a red eok, slew it, buke a bannock with the bluid of it, and gave the samyn to Andro Sadelieris to eite . . . and yairefter sche gave ye said Christian ane of the said Androis sarkis and bade hir dip in the well behind hir hous, and sche did it at hir commande, and sche put the samyn upon him wat, quhairthrow he maist haif sownit (swooned) amang thair handis, yairbye abusing the poor gentleman vnder cullour of sorcerie and wicheraft. . . . Sentence: for the quhilk crymes ye said justice depute ordanit the said personnes, and ilk ane of them, to be tane to the Castell-hill of Edinburgh, and thair to be werreit at ane stake quhill they war deid, and thair bodies to be brunt in assis, and all thair moveable guides to be escheat. Quhilk was pronouncit be the mouth of William Liddell, dempster of the said court."



DOOR LINTEL OF ONE OF THE EARLIEST EPISCOPAL CHAPELS IN LEITH.
IT WAS LONG PRESERVED IN A BUILDING WHICH STOOD IN CHAPEL
LANE, ON THE SITE OF THE OLDER STRUCTURE.

CHAPTER II

PESTILENCE IN LEITH

LEITH was visited by pestilence very frequently during the 16th century. It made its appearance in 1504, 1512, 1530, 1568, 1574, 1585, and 1587. It was an epidemic that had its origin in the countries bordering upon the eastern coasts of the Mediterranean ; it spread through Turkey, and, after visiting Italy and the south of France, ravaged the northern and western parts of Europe. It is now known as the Oriental, Levantine, or bubonic plague. It derives its last name from the appearance of buboes or glandular swellings in the neck, armpits, groin, and other parts of the body. It was a specific febrile disease that could be transmitted from the sick to the healthy. The seaports on the east coast of Scotland were more exposed to its ravages than the inland towns.

Our forefathers adopted very enlightened measures to check the development of the disease, “qubhilk,” they said, “be the grace of God and gud gouernans may be stanchit.” The precautions they took have not been improved upon, at least in theory, by modern science. The city of Edinburgh was divided into three portions, each of which was under the supervision of a prominent citizen. Every wynd had its quarter-master, whose duty it was to report all cases of sickness

to the bailie of the quarter. Persons falling ill, whether they were infected with the plague or not, were to shut themselves up in their houses until the bailie was advertised and order taken by him. Infected persons were secluded from the general public by being removed with all their household stuff to the Boroughmuir and other appointed places, and the houses from which they were taken were to be cleaned. Persons who died of the plague were at once buried in a deep and wide grave in the Greyfriars Churchyard. Two biers were provided for their conveyance to this place of interment. Each was supported on four legs coloured black and surmounted at the head by a white St. Andrew's cross, from which a bell hung to give warning of its approach. Bailies, cleansers, and buriers of the dead were distinguished from their fellow-citizens by wearing a gown of grey whereon a white St. Andrew's cross was sewn before and behind, and by carrying a staff covered with white cloth at its upper end. Even persons who had recovered from the sickness and had been cleansed could not enter the city without permission from the bailie, and when this was obtained they were to shut themselves in their houses and hold intercourse with no person for twenty days.

All these statutes were binding under severe penalties, such as burning on the cheek with a hot iron, perpetual banishment, and loss of all their goods for a first offence. Flagrant or repeated transgressions were punished with death,—by burning if a man, and drowning if a woman.

Leith being an infected town, all communication between it and Edinburgh was prohibited, unless through the specially authorised channels, under the severest of penalties. The same sanitary regulations

as had effect in Edinburgh were rigorously enforced in Leith, but in the execution of precautionary measures greater solicitude was shown for the freeman of the capital than for the unfreeman of the vassal town.

“11th October 1500.—The provest, baillies, and counsall statutes and ordanis, anent the furnesing and laiding of the schips that ar laidand, that in tyme to cum na maner of persoun fra Tyisday furth nixt-to-cum, pas with ony guidis to Leyth, or send because of the daynger of seiknes that is in Leyth, but that thai carie thair guidis with karteris of this towne to Leyth hill besyde the Abbay, and discharge the guidis thair that the cairteris of Leyth may thair resave the samyn to the port, to be had to the schips, and this lading to be maid in the haistiest wyse to eschew daynger; and that na persoun indwellare within the towne pas to Leyth be an manner of way without leif askit and obtenit fra the provest and baillies, under the payne of byrning and banesing; sielyke as is imputt to thame now dwelland in Leyth that thai cum nocht heir within this towne, quhill God provyde remeid.”

“15th December 1530.—We do yow to wit that, forsamikle as this contagious seikness is rissen and spreid in Leith, quharfor we charge straitlie and commandis in our Souerane Lord the Kingis name, provest and bailies of this burgh, that na maner of personis of Leith that ar suspect of this contagious seikness, or that has been in suspect place, cum or repair to this toune or intromet with ony persone of this toune under pane of deid, and als chargis that na maner of persone, man nor woman, of this toune to repair to ony suspect place in Leith; and that nane send their scruandis about malt bowt the principale of the house, outhir the wif or the man pas

thameself for their malt, under the pane of banassing of this town for ever. And als chargis straitlie and commandis that na maner of persone, man nor woman, tak in wed or by ony clais, lynnyn or woolin, fra out of Leith or uther places under the pane of banassing. And that nane seruand woman within this toune tak ony maner of clais to wesche fra ony persone quhen they pas to the watter, bot their own masteris claithes; under the pane of banassing of the toune for ever."

The "pest" having again made its appearance, the Lords of Council and Session issued the following proclamation:—"At Edinburgh, on the 20th December 1555.—The quhilk day, forsamekle as the Lordis of Counsale are informit that thair is divers and sindry schippis comin furth of Burdeaux, Scherand, and utheris places beyond the sey with wynis and utheris waris, unto the quhilkis the pest is and hes bene this lang tyme bipast, and the awneris and merchandis of the saidis wynis and waris intendis to lois thair saidis wynis and waris, and to cum on land, it nocht being known giff ony siknis be amangis thame, nor giff ony personis be seik or decessit in thair viage, quharethrow our Soverane Ladiis liegiis may be dissavit and grete danger may occur; and for remedy heirow the saidis lordis ordanis ane masour, or uther officer of armes, to pas to the mereat cross of Edinburgh, and pere and schore of Leyth, and utheris places neidfull upoun this syde of the wattir, and thair be oppin proclamatioun command and charge all and sindry maisteris skipparis maryneris, and awneris of schippis that hes cumin furth of Burdeaux, Scherand, and utheris places beyond sey with wynis and waris, and in likwis the merchandis and utheris passengeris being thairintill, that nane of thame tak upoun hand to land or lois ony of thair

wairis and wynis unto the tyme thai send advertisement to the prouest and baillies of Edinburgh, and that cognitioun be takin be thame giff ony of thame be sek, or giff ony sekness be amangis thame or ony decessit in thair viage eathair departing or returning, or giff ony danger of sekness apperis, and cautoun to be fundin that na scaith sall cum of tham or thair wynis and waris to the saidis prouest and baillies as accordit, under the pane of deid and confiscatioun of all thair guidis doand in the contrar to be applyit to our Soverane Ladiis use for thair contemptioun ; and in lik maner ordanis letteris to be direct to officeris of the Quenis sereffis in that part to pas and mak siclik proclamatioun upoun the uthir syde of the watter to the effect forsaid and under the panis abone written, and sic personis as ples the Quenis grace name to tak cognitioun as is within written."

The same day proclamation is made by John Hamilton, on the shore, in presence of the Provost, Bailies, and Alexander Guthrie, Alexander King, James King.

On 15th October 1574 the first indications appear of the approach of the plague. A Frenchman has arrived in Leith from London, where "the pest" is understood "to be vehement," and is "presentlie seik." The householder with whom he is lodged is ordered, with his whole family, to remain closely in house for eight days or longer, "quhil thay be tryit quhat followis vpon the said seiknes." Eleven days later, the Council, "vnderstanding the pest to increas in Kirkcaldie and Leith," make proclamation that no inhabitant of Edinburgh shall have communication with either of these towns, and that no inhabitant of these towns shall resort to Edinburgh, under pain of death. Then follow other regulations—requiring outbreaks of sickness to

be reported to the Magistrates, and the ports of the town, other than the Netherbow and West Ports, to be closed; prescribing the hours at which alone the ports named are to be opened, and ordering a daily watch of six men to be maintained. In rapid succession ordinances are made requiring vagabonds and idle persons to leave the town; ordering the tenant of the Sciennes to remove, so that, if the sickness increase, the infected people may be placed there; appointing a master cleanser of the people cured of the pest, with an assistant; authorising the purchase of a caldron for cleansing the foul goods, and the furnishing of all other necessities "for the clene and foull mure." Then, on 26th November, forty bolls of meal are ordered to be bought and sent to Leith for distribution among the poor and sick persons on the Links. On 7th January 1574-75 the house on the Links of Leith, called Little London, is directed to be cleansed, the "clengit folkis of the said linkis" are appointed to be placed in it, and a watch is ordered to prevent any unauthorised persons resorting to the house, under penalty of death. On the 18th of February, the pest having been removed, the cleansers and folks upon the mure are ordered to be brought home, and the timber of the lodges, the caldron and other things provided by the town in connection with the sickness, are appointed to be taken away. Six years later, viz. in September 1580, a minute of Council refers to the reappearance of the plague, which had been brought in a ship from Danskin. The infected people were placed in St. Colm's Inch, and cleansers were appointed to them, but the infected persons died, and enactments were made for the support and payment of the cleansers. On 3rd October a minute refers to another arrival of infected persons

from Danskin and from Bruges. Two days later, three persons, who had been confined to their lodgings under suspicion of being infected, were ordered to be put at liberty; and on the 14th of the same month, the conservator of Scotch privileges at Campvere was required to take steps to prevent infected persons coming to Scotland from Maine and other parts of Flanders; proclamation was also ordered to be made at Leith against the transport of persons from these places to that port. Nothing further appears in the records on this subject till 24th July 1584, when reference is made to the reported outbreak, in the town of Wester Wemyss, of plague carried thither in infected goods from Flanders. Proclamation is accordingly made against the importation into Edinburgh or Leith from any part of Flanders of goods by which infection may be carried; and all persons arriving from that country are required to report themselves for inspection before going among the lieges. On 14th August a collection is ordered to be made on behalf of the people of Wemyss, where the pestilence is understood to be great. On the 26th of the same month a watch is appointed to be stationed on the shore of Leith to examine all persons arriving there; and boats are prohibited from landing between Queensferry and Leith, except at the latter port. On 19th September all communication with Dysart, Kirkcaldy, and Wemyss is prohibited, and on 24th September this prohibition is extended to St. Johnston, in which it is said the pest is "lāitlie brokin up." On 23rd December 1584 a collection is appointed to be made on behalf of the burgh of St. Johnston, and on 6th January 1584-85 this collection appears to have produced £261, 17s. 2d. No outbreak of the plague in Edinburgh appears to have taken place till April 1585,

when a woman died of a disease which excited suspicion, and led to various houses being placed under surveillance. The death from plague of two other persons in one of these houses on 9th May led to the removal of the survivors to the neighbourhood of St. Roque's chapel, and the placing of them under inspection. The house in which the deaths took place was cleansed, and other precautions were adopted. On the following day cleansers were appointed to be in readiness, and a watch was posted at each of the two open ports; and on 12th May clothing was provided for the cleansed folks, and temporary dwellings were erected for them at the Sciennes. Six days later, five or six lodges were ordered to be put up on the mure to accommodate those who might be sent there; and on 19th May three persons were appointed for each quarter of the town, to aid the bailies in supervising their respective districts. Daily meetings of the Council were also ordered to be held "after the prayers and sermon." On the 20th and 21st of May a caldron and other furnishings were ordered for cleansing operations, with a pair of irons and shackles for punishing offenders; and on the latter day a man and two women were ordered to be put to the knowledge of an assize, on a charge of having knowingly concealed the existence of the plague amongst them. The latter order concludes with the stern words, "and being fund culpabill in any poynt of the premises, to be immediately execut to the deyth at the stray mercat," emphasised by the appointment of a man "to be executioner of the foul folk, and all such as shall be conviet for breaking of the burgh laws and the statutes of burgh." The anxiety of the town's people at this period did not prevent them from aiding the afflicted inhabitants of St. Johnston, for whom

£244, 13s. 10d. were collected. An Act of 24th May refers to those "that ar steiket up in the Water of Leyth, and hes nocht of thair awin," and ordains the treasurer "to furneis all necessaris to thame." It alludes also to the daily and nightly occupation of the bailies in suppressing sickness and helping the poor and sick. From this time onward to December the records are filled with acts relating to the state of the town, disorganised as it was by the ravages of the plague. The students attending the college had taken fright and left the town; the clerk of the kirk evidently also contemplated removal, and one of the bailies was directed to entreat him to remain in his office, "notwithstanding this perrilous tyme," and to increase his yearly stipend by £10. An Act of 25th June, proceeding on the narrative, "that the nyctbouris ar past furth of the toun, and hes left the samyn desolat, and thair buithis and howssis in daynger of brekking be lymmers," appointed twenty-four persons to keep watch and guard, one half by day and the other half by night. On 10th August all meetings of the people on the streets or at the heads of closes, by which infection might be spread, were prohibited. On 17th September four Flemish cleansers and curers of the pest were appointed to be sustained upon the town's expenses for fifteen days, "to give prui of their knowlege and airt." On the 22nd of the same month, the Council—acknowledging the service rendered to the town by James Henryson, surgeon, who had himself contracted the sickness and lost his wife by the plague—exempted him from all future taxations and extents to be levied within the burgh. A letter from the King to the Council, dated at Stirling, on 22nd September 1585, refers to the pestilence as having

infected a great part of the inhabitants and carried off some of the bailies, counceillors, and other officers of the burgh. An Act dated 5th November, referring to the fact that notwithstanding orders to the contrary a great number of persons partly infected, and certain others upon suspicion of being infected, come to the streets and meet their neighbours, whereby the sickness is increased, ordains all clean persons, who are appointed to keep their houses, to remain therein for the time so ordained, and all such as are foul to be executed. An Act dated 17th December refers to the number of infected persons as being greatly diminished. And another Act, of the 22nd of the same month, directs all goods which have been or still are suspected of infection, though they may have been cleansed, to be laid out in the open air "to tak the air of the froste, nichtlie or daylie, quhil the samyn may be jugeot furth of suspitioun." The Act contains, further, stringent orders for the cleansing of all suspected goods, and the adoption of other measures fitted to diminish or prevent infection. An Act dated 19th January 1585-86 refers to the sickness as "beand removet in the mercie of God." (*Records of Burgh of Edinburgh*, pp. lxii-lxvii.)

In addition to the enactments made by the Edinburgh Magistrates were the Orders of Privy Council issued for the safety of the whole realm.

"Dalkeith, 31st October 1574.—My Lord Regentis Grace and Lordis of Secreit Counsale being informit of the greit inconvenient liklie to follow be spreding of the infectionoun of the pestilence to landwart throw the departing of seik and fowll personis, fra the places quhair thay ar appointit to remane, to the landwart; and willing to provyde the best ordour and remedy that may be thairfoir, ordanis letters to be direct to officiaris

of armes, Shereffis in that part, chargeing thame to pass to the marcat croce of Edinburgh, peir and schoir of Leyth and all utheris places neidfull, and thair be oppin proclamatioun in our Soverane Lordis name and authoritie, command and charge all and sindry personis infectit and suspectit of infectioun . . . that nane of thame tak upoun hand to conceill thair infectioun, bot immediatlie upoun the knowlege thair of to cloise thame selffis in, and that thay on na wayis remove frome the place of thair residence to landwart, under the pane of deid . . .” (*Reg. P. C. of Scot.*, vol. ii. p. 415.)

“Dalkeith, 16th Nov. 1574.—Forsamekill as at the plesour of God the infectioun of the pestilence is enterit and spred within sum partis of the burgh of Edinburgh, toun of Leyth, and sum townis and partis in the north coist of Fyff, swa that gif oure Soverane Lordis liegis sall resort to the saidis partis for awayting on thair caussis in the Sessioun, or to dayis of law, or to the Previe Counsale, thay may incur skayth and inconvenient; . . . therefore the Session and College of Justice shall presently rise and stay from all further proceedings till the eighth day of January next to come, and also the Convention of the nobility and States appointed to have convened for the affairs of the common wealth upon the twenty-fifth day of November instant shall likewise stay and continue till the twenty-fifth day of February next to come, and all criminal days of law set before the Justice or his deutes from Sunday next the twenty-first day of November instant till the said twenty-fifth day of February next to come be continued, the parties called finding caution to the Justice-Clerk or his deutes to compeer anew and underly the law for the crimes whereof they are

pursued at some other day." (*Reg. P. C. of Scot.*, vol. ii. p. 419.)

"Holyroodhouse, 20th September 1580.—As it is necessary, to prevent the spread of the infection, that they [the plague-stricken] should be strictly confined by themselves in Sanct Colmis Inche, orders are to issue to the proper officers 'to pas, command, and charge the foirsaidis personis that nane of thame tak upoun hand to cum or repair furth of the said Inche in tyme cuming, quhill thay be elengit of the said seiknes, and thaireftir obtene licence of the Kingis Majestie, under the pane of deid, certefeing thame, and thay failye, thay salbe execute to the deid, quhairevir and how sone thay sal happin to be apprehendit, without favour.' Furthermore, none of the lieges are to 'suffer or permit ony of the foirsaidis personis or thair guidis to cum on land, or utherwyse to ressett or grant unto thame meit, drink, house or harbrie, or onywyse by trafficque, or have ony maner of cumpany, intercommunig, or intelligence with thame, under quhatsumevir cullour, or pretens,' nnder the same pain of death, to be rigorously executed. Further, 'in cais that the foirsaidis suspect personis, or ony of thame, be already or heirefter sal happin to cum on land, and beis ressett in ony burgh or part of this realme,' charge is to be given to the provosts and bailies of the said burghs, and to sheriffs and other judges, 'to caus thame and thair ressettaris be apprehendit, thair houssis to be closit up, and thameselffis to be execute incontinent to the deid, quhairunto thir presentis sall serve thame for sufficient warrand and commissioun.'" (*Reg. P. C. of Scot.*, vol. iii. p. 314.)

During the prevalence of the plague a number of persons infected were sent to the island of Inchcolm

and men appointed to attend upon them there. After the plague had passed away, and many of the infected gone the way of all the earth, questions arose regarding the payment of these attendants. The civic authorities had no idea that their health and the public health of their town had been benefited by this, but at once found that the Leith people, whose friends were sent to the island, should bear the expense. 30th September 1580.—“ Forasmekill as it is havely mermerit that, at the airnist requeist of dyveris nychtbouris of this burgh and of Leyth quha had thair kin and freyndis infectet with the pest lyand in Sanet Colmes Insche in poynt of tynsale for falt of sum persounis to awaitt vpoun thame and to beir the office of clengeris, thair wes sindry send into said iland to that effect, and now the persounis being deceisset to quhome thai wer sent, thair saidis freyndis refuissis to bear the chairges of the saidis clengeris quhill thai may gett liberty ; thairfore ordanis the saidis persounis at quhais requeist the saidis clengeris enterit in the said ile to be chairget and compellit to beir the cost and chairges of the said clengeris during thair remaining in the said ile, vpoun compt, rekning, and contribution to be maid in the schip callit the William, quhairin the said pest was brocht from Danskin, and guidis being thairin presently lyand at the said iland according to ilk manis pairt quha is or wes infectit of the said seikness, to quhome the saidis clengeris hes maid or makis any service, and ordanis the baillies of this burgh, with maister William Balfour, ane of the bailies of Leyth, to se that the saidis clengeris, bayth foull and elene, be sufficiently sustenit, and that this ordinance be putt to executioun in all poyntis.”

20th November 1580.—Complaint as follows by

“Jonet Hume, relict, and the ellevin fatherles barnis, of umquhile Williame Downy, skipper in Leith,” and by “Katherene Masoun, relict, and sevin fatherles barnis of umquhile James Scott, mariner thair,” and by “David Duff, alsua mariner thair,” all as “awners of the schip of the same toun of Leyth, callit The William.” The said ship “returning from Danskin, ten outhis syne or thairby,” and some of the crew being infected with the pestilence, the “hail, alsweill schip as the men and guidis, wer commandit to remane at Sanct Colmis Inche.” This they “have done for the maist part continewallie sensyne,” but now, “sum of the personis being deid, and the remanent transportit, sum to Inchekeith, and sum to Inchegarvie, at leist the maist part of the personis on lyffe ar elengeand and brocht to the Newheavin, the said schip remaining still in Sanct Colmis Inche, and hail guidis within hir.” These goods “the merchandis, awners thair of, refusis to caus the ressavit, quhairthrow the said schip already leekis, apperand to perreis, to the saidis compliners heavie hurt and skaith; and sua, without the Kingis Majestie, and lordis of secrete counsale, be his hienes autoritie, provide the saidis complineris spedy remeid, thay will utterlie tyne thair said schip, being of the newest and best schippis of this realme, that easelie may be elengit and scho weranis loissit . . . the merchandis being oftymes callit and not comperand.” . . . At the same time they ordain letters to issue “chargeing the merchandis abonewrittin, awners of the guidis being within the said schip, and all utheris haveand or pretendand to have entres, be oppin proclamatioun at the mercat croce of Edinburgh, peir and schore of Leith, and utheris places neidfull, to compeir personalie befor the saidis provest and baillies of

Edinburgh" on the said day, "to gif thair gude advise how the said schip suld be handillit and ordourit, with certificatioun to thame and thay failye, the said day being bipast, command salbe gevin to the clengers and utheris personis being in Sanct Colmis Inche to lois the saidis guidis furth of the said schip, and lay the samin on the schore within the said Inche," in which case "nother the awners of the said schip nor thay salbe further obleist to answer for the saidis guidis." (*Reg. P. C. of Scot.*, vol. iii. p. 330.)

The civic authorities were very careful about those who were infected with the pest, as appears from the following:—12th January 1580–81.—"Vnderstanding the hail merchants and mariners of the schip callit the William of Leyth, quhilk wes infectit with the pest, and lyand at S. Colmes Inche, to be haillie transported furth of the said Inche, and that na infectioun is appearand to follow, prayset be God, the only clengeris remanand in the said ile quha hes biddin this lang tyme thair, and hes bene clengeit, thairfore ordanis Maister William Balfour, baillie in Leyth, to caus thame be clengit of new in the said ile and thairafter transportet and incluset in the houssis at the New Heavin in maist sure maner quhill forther ordour be tane with thame."

"24th July 1584.—Vnderstanding that the seikness of the pest is brokkin vp in the toun of Waster Weymis be occasioun of certane houshald guidis and vther wairis cum fra Flanders quhair the said seikness is vehement, and be the lyk way may be spred in the cuntrie gif remeid be nocht provydet, tharfore ordanis proclamatioun to be maid throuch this burgh and town of Leyth that na maner of persouns, merchants, passingers or vthers, presume or tak vpoun hand to

transport or bring hame frome ony pairt of Flanders any maner of bedding, howshald geir, spraichree wairis, or sielyk guidis, quhairby any daynger of infectioun may arryse; and sielyke that na skippers tak or resaue any sic guidis in thair schips or veschells fra this day furth, vnder the paynis of byrning and destroying of the said guidis and pynessing of the hame bringers and skippers to the deid; and sic persouns as hes brocht hame any sic guidis that thai cum incontinent and mak intimatioun to the bailyes, offer and present the sam to thame that thai may tak ordour thairwith vnder the paynis foresaids; and als that na skippers of schips, merchants, passingers, or vthers cumand fra any dayngerous or suspect pairt of Flanders, lose thair guidis or repair thame selff amangs the King's lieges before thai or thair guidis be visetit be the bailyeis or sic as sall be depute thairto, vnder the payne before mentionat."

The pest had again been making its appearance, and nothing so much alarmed the civic authorities of Edinburgh or the inhabitants of that charmed city. No boats were to land anywhere between Queensferry and Leith, but at Leith only. Intimation was to be made at Kinghorn and Burntisland. Leith was to be the receptacle of all the pest-infected ships. On the 26th August 1584, "[the Bailies and Council], for eschewing of the inconvenients of the pest, ordanis the bailyeis of Leyth, ilk xxiiij hours, to place four nichtbouris of Leyth and ane officer to attend at the schore vpoun the landing of the boits and trying and seing the testimonialls, and the persouns refusand to attend be poyndet for the vulaw of v li. vnforgevin; and sielyk ordanis proclamatioun to be maid vpoun the schore of Leyth that na boittes land at the Newheavin,

Grantoun, Craigs, or ony vther pairt betuix the Quenisferrie and Leyth bot in Leyth allanerlie, vnder the payne of tynsall of the boitt and imprisonment of thair persouns, and that intimationn heirop be maid to Kinghorn and Burntisland; auttour, for provyding of spedie remeid incais ony seiknes suld aryse within this toun or in Leyth, as God forbid, it is thairfore thocht expedient that the belman of this burgh cum to ilk bailyie according to his quarter quhairin any persoun sall happin to deciss any maner of way and schaw the same to the said bailyie, quha sall pas, visie, and try quha seikness that persoun deyet into, and thairafter the corps to be buriat and the bell to gang throw the town and na vtherwayes, and the lyke ordour to be keipet in Leyth. Ordanis William Fairlie and Thomas Myller to pas to the Kings Grace, with ane lettre of the guid townis in favouris of Maister John Howesoun, minister, cravand his libertie or at the leist that he may be wairdet in this toun or in Glasgow vpoun cawtion quhil his caus be tryet. Als that be the way thai aduerteis Kinghorn and Burntisland that na boats land bot at Leyth."

On 23rd September 1584 [the Council] "appoyntis William Littill, Androw Selater, Jhonn Watt, thesaurer, and Jhonn Bannatyne to pas to Leyth and thair to se quhat ordour is keipet on the schore at the tydes, and to putt reformatioun with sic substantial ordour as thai fynd expedient, and to report to the towne."

On 24th September 1584, "the provest, and as mony of the bailyies and counsall as wer presentlie convenit, in respect that it is bruttet that the pest inccessis daylie in Fyfe and is laitlie brokkin vp in St. Jhonestoun, thairfore ordanis proclamatioun to be maid that nane of the Kings Graces sowldiouris or gaird, nor

na persoun quha hes bene in St. Jhonestoun or ony suspect place, presume be thameselffis, thair wyffes, seruandis or guidis, to cum within the libertie of this burgh, and gif ony be come that thai depairt incontinent, vnder the payne of deid. And appoyntis Jhonn Watt and Henry Blyth to pas to Strabrok and trye gif ony seiknes be thair, and als takand with thame ane officer of airmes to pas to the Quenisferrie and caus the Kings Graces proclamatioun to be maid discharging all boits to pas thair, and Maister Michael Chisholm and Thomas Myller to pas to Leyth and dischairge the boits thairof."

4th November 1584.—The King and Council "being credibillie informit that, notwithstanding his hienes formar proclamatioun, inhibiting the commoun passage at the ferreis ower Forth in respect of the pestilence quhairwith divers pairtis in Fyfe and within and besyde Perth ar presentlie at the pleasour of God infectit, yit ceissis not continewall transporting of personis at the Quenis ferry," the following new orders are to be proclaimed at the market cross of Edinburgh, at the shore and pier of Leith, and at Queensferry:—(1) That till further order "thair salbe na passage ower Forth be the ferrie boittis at ony pairt, saulding onlie betuix Leith and Brint Island." . . . (2) "That ane of the baillies of Leyth ressave and comptroll the testimoniallis and licencis of the boittis and personis that cummis from the north schoir to Leith, admittand nane bot sic as ar subscrivit be his Majestie and twa of his Counsale and the said bailie of Edinburgh." (3) None of the inhabitants of Edinburgh, the Cannongait, Leith, West Port, or the Potterrow, to "ressave in herbry, stabling, or ludging, ony maner of persoun, not being actuall induellaris and residentis within the

said burgh and pairtis foirsaidis, except within the space of ane hour eftir the ressatte thay gif the name of the persoun and duelling-place to the commissar within quhair quarter or jurisdictionn they duell." (*Reg. P. C. of Scot.*, vol. iii. p. 696.)

18th December 1584.—As notwithstanding previous proclamations forbidding passage by the ferries over the Firth of Forth on account of the plague, there is still "continewall transporting of personis at the Quenisferrie and utheris pairtis," the King and Council, "upoun a supplicatioun presentit be the provest and baillies of Kinghorne, and assuurance gevin thairby that for thair passage and ferrie of Prettycur thay salbe answerabill," have, after taking the opinion of the Bailies and Council of Edinburgh, concluded that, till further order, "thair salbe na passage ower Forth be the ferry boittis at ony pairt, except onlie betuix Leith and the Prettycur." (*Reg. P. C. of Scot.*, vol. iii. p. 713.)

The pest was very prevalent in Edinburgh about this time, and the civic authorities were so much occupied with this that Leith for a time escaped persecution. The only entry in the Council records for about a year at this time is the following very innocent one:—19th January 1585–86, "William Stewart, writter, delyuerit to my Lord Provost the seill of cause of this burgh with the seill of Leyth, and thairvpoun asket acts and instruments."

The pest had become prevalent, and the Council issued the following order:—16th June 1585, "ordanis proclamatioun to be maid throw this burgh that na seruands pas or repair within the towne of Leyth without thai be in company of thair maisters or sum honest nychtbouris that will ansuer for thame, vnder

the payne to be imprisonet for xv dayes, to be fed with breid and watter allanerlie. Siclyk that na persouns vpoun any pretext or excuis pas to the West Mure, or repaire toward the Lugeis, seik and suspect folkis, without speciall licence of the bailyeis had and obenit thairto, vnder the payne to be incloset vpoun thair awin expenssis for the space of xx dayes, and that all maisters of houshaldis, men, wemen, and all vthers, quhair thair sall happin any persouns to be seik of ony kind of disease, inclose thameselffis and mak incontinent aduertisement to the magestrats be the visitouris, officeris, or thair nixt nychtbouris, and fra thine cum nocht furth and repair amangs the kings lieges without licence of the bailyeis or of the bailye of thair quarter, and conceil nocht thair seiknessis vnder the payne of deid. Als that nane be fund to haif to sell in the merkets or vther places any sybois, leiks, or vngyeouns induring this present pestilence, vnder the payne of banishment and tynsall of thair stufe."

This was too good a state of matters to last long, so whenever the civic authorities of Edinburgh got rid of the pest they resumed their oppressive practices on the Leith unfortunates. On 8th July 1585, "William Littill, provost, the bailyeis, and ane pairt of the counsale being convenit, George Scott, in Leyth, beand tryet and provin to haif laitlie iniureit the guid town with dyuers nichtbouris that past to Leyth with the provest and bailyeis in the townes seruice, nocht onelie in calling the said nichtbouris evill words, bot sayand that the towne had tayne fra him twa schips of tymmer and wissand that the pest wer in the town as it wes this tyme tolmonth, with dyuers vthers owtragious and intollerabill speiches, quhilk wes gevin aganis him, thairfore he asket the towne forgifues, and he and Jhonn

Harlaw, saidler, as souerty for him, oblist thame selffis comunellie and generally that he sall nocht committ the lyke falt heirafter vnder the payne of ten pund."

The pest had broken out in Leith, and the civic authorities of Edinburgh, in great tribulation, resolved to apply to the King's Grace to take steps in reference thereto. On 1st November 1587, "the baillies, dene of gild, thesaurer, and counsall, swa mony as were present, vnderstanding the probabill coniectures that this greit deid quhilk hes bene in Leyth in tymes past wes of the pestilence, fynds it expedient that certane of thair number pas to the King's Grace and mak his Grace aduertisement thair of and obtene his Grace's letters and authority for keiping of guid ordour within the said toun and within this burgh, and appoyntis Robert Kerr [bailie, and seven others], to pas to Leyth and visy the deid corpssis for the mair certaintie; and ordanis proclamatioun to be maid throw this burgh, dischairging all inhabitants from going to Leyth, ordaning all sick persons to reveal their sickness to the bailie of the quarter, and that na persons pas up and down the streits with fruit, vngyeouns, heiring, weddis, or ony maner of guidis to sell, vnder the said payne of deid; and the lyke proclamatioun to be maid throw Leyth. Ordanis thame that passis to the King's Grace anent the pest in Leyth to schaw if the schip cum fra Treport with jesuits, vnder cullour to fetche coillis, that his Grace may putt ordour thairto."

And again, on 6th November 1587, they ordained that no person repair to Leith without licence of the Magistrates, that cases of sickness be revealed to the baillies, that no persons out of infected houses repair amongst the neighbours, that unfree persons who have not sufficient to sustain themselves for a month depart

forth of the town, and that no dogs, cats, or swine be suffered to be at large.

The following is an instructive illustration of how Edinburgh applied the taxation derived from Leith :—10th November 1587, “the foresaid prouest, baillies, and counsall, and maist pairt of the remanent deykins of crafts, fyndis it expedient that ane taxatioun be sett and rayset vpoun the inhabitants of the toun of Leyth for thair pairt of the licence to abyde fra the raid to the Borderis ; and the samyn being vplifit, grantis and disponis the samyn to the sustentatioun of the poor, indigent, and infected persouns thair of in this tyme of pestilence, to be distributet at the discretioun of the baillies of the said toun.”

A watch had to be appointed to prevent communication between Edinburgh and Leith, so on 17th November 1587, [the Council] “fynds it expedient and necessar for halding furth of the pepill of Leyth, quhilk comes about to gett in at the West Port, that for the space of aucht dayes ane watcheman be putt at Brochtoun lon heid, or sic vther places as the baillies and thesaurer sall fynd meitt.”

23rd November 1587.—His Majesty “considering how, be occasioun of Godis visitatioun throw the pestilence spred in Leyth, sum pairtis of Edinburgh and the cuntrey adjacent to the passageis at ferreyis and uthirwayes ar gritlie interruptit ; and thairthrow the administratioun of the civile justice in the Sessioun stayed ;” therefore the Justice, the Justice-Clerk, and their deputes, are ordained to continue the justice court appointed to begin at Lynlythgow on the 27th instant to the 5th of January next ; “befoir the quhilk, God willing, the infectioun will ceis ;” and all other justice courts for the remaining shires are to be similarly con-

tinued "to new dayis als lang eftir the said fyft day of Januare as they wer sett of befoir eftir the said xxvii day of November." (*Reg. P. C. of Scot.*, vol. iv. p. 230.)

7th December 1587.—The King and Council, "finding it nawayes convenient that thair sal be ony grite resort of his Hienes subjectis to the place of his Majesteis residence quhill the pest which as yit continewis within the burgh of Edinburgh and Leith, at Godis plesure be removit," continue the action depending before the Council in the matter of letters for an assurance between Robert, Master of Eglintoun, and Neil Montgomerie of Langshaw, on the one side, and Alexander, Commendator of Kilwynning, on the other side, till the 1st of March next. (*Reg. P. C. of Scot.*, vol. iv. p. 234.)

6th August 1597.—"The pest began in Leith" (Bir.), and soon "infected sundry parts about Edinburgh, so that many fled out of the town" (Cal.). (Chambers, *Dom. An. of Scot.*, vol. i. p. 292.)

Quite distinct from the pestilence was the disease of leprosy, which was not unknown in Scotland during the Middle Ages. Among the hospitals established in Scotland for the reception of lepers was one at Green-side, then a suburb, but now forming an integral part of the Scottish capital.

Several times in the seventeenth century Leith was threatened with a visitation of the plague. In 1645 it broke out with great virulence, and the horror of the situation was aggravated by famine. The pestilence continued from April until December, during which period there died, in South Leith, 2421; in Restahig, 160; and in Craigend, 155. From a supplication for assistance presented to Parlia-

ment, which was then sitting at Perth, in August, on "behalf of the remanent inhabitants," it appears that the "number of the dead exceeded the number of the living." The churchyard of South Leith being found too small to contain the number of dead which were brought for interment, many were buried in the Links. The bones of these have been dug up from time to time in various parts, although the spot which appears to have been first selected for the "plague graves" was the south-west corner. In consequence of the supplication above referred to, the Magistrates of Leith were empowered by Parliament "to medle and intromet with the number of ane quantitie of five hundreth bolls of ait meill, and that out of anie sellar or sellars in Leith, and, if neid bees, making open doores for that effect." They were also authorised to send a begging expedition to any part of the kingdom "be south the watters of Tay." But there is no record of their having availed themselves of the permission.

A singular punishment, inflicted on a villain who had turned the prevalence of plague in 1645 to his own ends, is recorded by Nicoll, under date 1650, 8th February.—"Ane callit Johnne Lawsons, indweller in Leith, was convenit befor the Lordis, wha in the tyme of the infectionn had devysit ane false service, and caus it serve ane stranger to ane tenement of land belonging to ane defunct persone, and had recoverit infetment. He was brocht to the Trone of Edinburgh betwixt 11 and 12 befor none, and fast bund thairto, with ane paper on his heid declarand his falt. His tongue was drawn out with ane turkis (blacksmith's forceps) by the common hangman, and laid on ane little piece buird composit for that effect, and his tounge rin throu with ane het iron or bodkin."

CHAPTER III

LEITH AND PIRACY IN SIXTEENTH AND SEVENTEENTH
CENTURIES

DURING the sixteenth century, anarchy, frequent wars, and public convulsions set the peoples of Europe free from restraint, and those who felt themselves strong enough to be robbers, preferred the spoils of rapine to the slow acquisition of wealth by honest industry. In contrast with such lawless acts of violence an early example of a notarial instrument referring to the sale of a ship's hull may be interesting:—"On the 20th day of the month of July, in the year 1527, at the ninth hour before noon, in the tavern of William Adamson; witnesses—Wm. Sym, Patrick Baron, bailie, Michael Blyth, Henry Scot, Edward Hamilton, Henry Blak, Alex. Heriot, and Alex. Tennent, in whose presence John Williamsone, duell-and in Osterdame, of his awne fre will, nocht compellit nor coactit, bot of his awne fre will, as aperit, grantit that he has sauld till Henry Scot, Patrik Gardner, and John Ker, induellaris in Leith, the inferior part callit the holl of his schip callit the James of Osterdame, for the some of xxx li. Scottis money, and grantis him wele content and thankfull pait, and thairfor quitclamis and dischairges the saidis Henry, Patrik, and John thair airis curis exectutoris and assignais, of him his

airis executoris and assignais for him and evirmar be this present writ, and oblissis him neur till persew thame in contrar heir of in jugment or vtouth [outwith the same], and in presence forsaid the saidis Henry Seot, Patrik Gardner, and John Ker has offerit the said inferior pairt of the said schip thre dais efter that scho wes first coft, as wes allegit, to the said John William-sone of the samyn price that he sauld the samyn to thame, payand to thame the expensis maid in the meyntyme and till ilk ane of thame a ros nobill, quhilk he refusit. Whereupon the forsaid askit instrumentis." (*Rec. Burgh of Edin.*, vol. i. p. 231.)

The next instance is that of a Dutch ship which was seized by pirates after it had been sold. The rightful owners empowered a student of St. Andrews to regain possession of it for them. On 28th February 1526-27, "Master Adam Otterburn of Auldham, William Forster in Leith, William Forous, burges of Hadington, and Michael Sympson, maid and constitut Master Jacobus Forstar, student in Sanct-Androis, and brukand the privilege of the Vniuersitie therof, thar verray lauchfull donatour in and to all and sindry the graith of the schip quhilk thai coft fra the Duchemen, viz. mastis, ankeris, towis, takle, saill, and vther graith, with power till him till persew the samyn fra the personis intromitteris therwith, viz. [blank], and this to be extendit in ampler form. And the said Wm. Forster askit instrumentis. Witnesses—John Adamson, Patrik Baron, Vincent Strathauchin, Michael Tullos, John Anderson, and many others. Done in the City Chambers of Edinburgh." (*Rec. Burgh of Edin.*, vol. i. p. 229.) There is no record of the ship or any of its parts being recovered.

Evil results flowed from the frequent grant of letters

of marque, and privateering very easily degenerated into piracy. So far back as 1476, in consequence of the Bartons having been plundered by a Portuguese squadron, letters of marque were granted to them, under the protection of which they more than indemnified themselves for their losses. In 1507 the *Lion*, commanded by John Barton, was seized at Campvere, and its captain thrown into prison. The sons of this officer procured a renewal of their letters of reprisal, and fitted out a squadron, which intercepted and captured many richly-laden carracks returning from the Portuguese settlements in India and Africa.

Nevertheless, the Scottish Government did what it could for the suppression of piracy. Various were the measures adopted for the attainment of so desirable an end. The punishment of piracy was by no means light. Those who had committed crimes on the high seas were doomed to death by the Privy Council. The execution of the sentence lay with the Magistrates of Edinburgh, and took place on the sands of Leith within the flood-mark. "On 24th November 1526, anent the article gevin in be the comissaris of burrowis makand mentionne of the grete inconuentis committit be Henry Bardiner, induellar in Lethe, by way of pirating and as ane sey-thieff, and quhat truble may fall to the merchandis of this realme for his dedis of the quhilk he is conviet by ane assiss, it is devisit, statute, and ordanit be the estatis temporale in this present Parliament, that the provost and ballies of Edinburgh exeute justice vpoun the said Henry efter the forme of dome gevin aganis him in example of vtheris to comitt sicklike inconuentis." (*Rec. Burgh of Edin.*, vol. i. p. 229.)

On 6th May 1551 John Davidson was convicted

of the violent piracy of a ship of Bordeaux, and sentenced to be hanged in irons on the sands of Leith. Pitcairn (*Crim. Trials*) remarks, this is the first notice in Scotland of the bodies of criminals being suspended in chains and left to the action of the elements.

In 1554 the captain and crew of an English ship, called the *Catt* or *Kait*, of Lynn, were tried for "piracy and oppression, reiving and spoiling furth of a hulk of the towne of Statyene, then *lying in the harbour of Leith*, a kabel 90 faddumis, three or four pistolettes," and other matters. They were found guilty, and sentenced to be hanged as pirates, within high-water mark at Leith.

Henry VIII. having complained to the Scottish Court that his ships and subjects were daily seized and plundered by Scottish vessels in the east seas and other places, the Queen's Privy Council, 24th August 1546, ordained letters to be sent to the royal officers and sheriffs to pass to the market places of "Edinburgh . . . pere and schore of Leith . . . and uthair places neidfull and thair be oppin proclamatioun command and charge all our Soverane Ladyis liegis, that nane of them tak vpoun hand to pass furth in weirfair, unto the tyme thai cum to my Lord Governour and Lordis of Counsall, and have his Grace's licence, under our Soverane Ladyis seill or greitt signett and subscriptoun of my Lord Governour with sik restrictionis as salbe gevin to thame under the pane of tinsale of life, landis, and gudis, and gif ony schippis happinis to depairt, that nane of them tak upoun hand to invaid, tak, truble, or molest ony Inglis schippis under the pane foresaid." (*Reg. P. C. of Scot.*, vol. i. p. 39.)

Licence was, however, granted to Scottish men-of-

war to seize pirates in Scots waters belonging to the Netherlands, and subjects of the Emperor.

“At Edinburgh, 6th July 1550.—The quhilk day, the Lordis of Secret Counsale, considerand the greit enormiteis dalie done to our Soverane Ladyis legis, als wele within hir awin wetteris and firthis as in uthair places, be schippis of Holand, Flussing, and uthiris the Lowlandis of Flandars, subjectis to the Empriour; hes thocht expedient to licence the weire schippis of this realme, sa many as are now in ordinar to pass furth in weirfar for stanching thairof; providing alwayis that befor thair departure the maisteris, awneris, and capitanis of ilk schip comper befor Thesaurar Clark, and ressave sey borrow and find sufficient caution that tha sall pass na uthair way bot upoun the cost and throw the watteris of Scotland, quhill tha have owthir takyn or chasit the saidis piratis furth of the boundis forsaidis and that tha sall do na hurt, harm, nor violence to na uthair of our Soverane Ladyis friendis, allya, confideraris.” (*Reg. P. C. of Scot.*, vol. i. p. 104.)

John Mowbray of Barnbogle, Robert and William Logan, Alexander and Robert Barton, sons of the late John Barton, were summoned to appear (8th September 1560) before Her Majesty and Lords of Privy Council for the production of letters of marque and copies thereof, together with the inventories of goods taken by them in virtue of the same. These were not presented when required. Therefore Her Majesty has suspended and suspends the said letters of marque granted upon the said Portuguese till the production thereof before Her Grace and Council. (*Reg. P. C. of Scot.*, vol. i. p. 161.) In 1561, when John Mortoun of Leith, with his ship and goods, had been stayed in England at the instance of John Baptista de Sambitore,

procurator-general for the Spanish nation, John Logan of Coitfield was caution and surety for 1200 pounds Scots, before the said John Mortoun could return with his ship and goods to Scotland; and William Logan of Leith obliged himself to relieve the said John Logan of Coitfield of the said sum and of all damage and skaith that he shall happen to sustain as caution foresaid. (*Reg. P. C. of Scot.*, vol. i. p. 179.)

The action pursued by "Britoneris" against Thomas Kennedy, younger, of Bargany, for the wrongous spoliation, reiving, etc. of the *Pernyk*, of Nantes, and of bales of goods and merchandise that formed her cargo, was one of the *causes célèbres* of the sixteenth century. The *Pernyk*, of Nantes, trading between that port and Bilbao in Spain, was captured in May 1561 by William and Walter Cant, sons of Walter Cant, indweller in Leith, and brought by them to Lochryan in July following. The pleas of the defendants, that the case, as pertaining to a civil matter, should be tried by the Lords of Session, and not by the Lords of Privy Council, and that the Cants had the letters of marque given by James IV. to the Bartons, to which they seem to have served themselves heirs, were set aside. The trial was lengthened out by the delays occasioned by the citation of witnesses from the Continent and the production of writs in the process. As these were written in Spanish, Mr. George Buchanan and Principal Rollock were engaged to translate them into French, Latin, or English, that the Queen's Grace and Council might understand them. At length, on the 18th of June 1563, an approximately final decision was reached. It was in favour of the merchants of Nantes. Thomas Kennedy of Bargany was ordained to consign and put in the hands of Master Spens of Condry, Her Highness's

advocate, the sum of 300 merks, usual money of Scotland, and such other sums as should be thought expedient. (*Reg. P. C. of Scot.*, vol. i. p. 239.)

Depredations on Portuguese merchants and reprisals on Scottish traders had become so frequent that, Parliament having met at Edinburgh on 4th June 1564, a statute in the commercial interests of both nations was framed for the suppression of this form of piracy. Care also was taken that ships ready to leave Scottish ports were not allowed to depart until the owners had found security that neither on the outward or homeward voyage would any piratical offence be committed. Nevertheless, the Convention of Royal Burghs that met in St. Andrews on 5th January 1570 has left it recorded in its minutes, that, "because it is knawin to the commisaris foirsaidis that thair is certane piratt schippis in redynes in the hawin of Leyth, and vtheris partis of this realme, to pass furth in piracie, and knawing thameselves and the haill lieges of the realme to be in amitie and friendship with all nationis; for stopping of the saidis piratis of thair wickitt interprises, they desyre the commisaris of Edinburgh, with all diligence possible, to raise letters vpoun the xxijj Act of Parliament haldin at Edinburgh be oure Souerane Lordis mothir, and caus the samyn be execute vpoun all schippis within the boundis of thair jurisdictionis, and speciall vpoun sic as ar to pas vpoun the Portingalx." (*Rec. Conv. Royal Burghs*, vol. i. p. 21.) The statute here referred to is given elsewhere. See *Appx.* 1.

Piracy in the olden time included every kind of robbery or theft committed at sea, from the stealing of a rope to the capture of a ship, the plunder of its cargo or the murder of its crew. Even the retention

of goods that had belonged to one might be a piratical offence. Hence it is we find a lady of gentle birth in danger of being prosecuted both by the Privy Council and the High Court of Admiralty for having in her possession the salvage of a shipwrecked vessel.

27th March 1581.—Supplication of Dame Margaret Hay, Lady Tynneghame, as follows:—She had been “chargit, as havear in hir handis and keping of twa cast peces of irne ordinance, being in the Englishe schip quhilk laitlie perisit foranent Skowgall Sandis, to carie, bring, and transport the same be sey or land, upoun hir awin coist, charge, and expenssis, to the peare and heaven of Leith, and thair to mak deliverance thair of fra hir to His Hienes officiar.” She states that she has obeyed the said charge, having delivered the said two pieces to Thomas Douglas, messenger, as his discharge to her shows, but that, nevertheless, she is “in danger to be persewit for the same” by the admiral and his deputes unless she has formal discharge and acknowledgment of receipt from the King and Council also. The Lords accordingly “exoneris and dischargeis the said Dame Margaret Hay of the samin peces for now and evir.” (*Reg. P. C. of Scot.*, vol. iii. p. 367.)

In 1609 a piratical crew, headed by Captains Perkins and Randell, started from Long Island, off the Irish coast, for Scottish waters. They sailed in the *Iron Prize*, a Dutch vessel of 200 tons, and in a swift pinnace of half that burthen. For months they scoured the German Ocean, and did incredible mischief. On their appearance in the Firth of Forth three vessels were fitted out at Leith to give them chase. Meanwhile the sea-robbers had gone to Orkney, where, at Kirkwall, “they behaved themselves maist barbarously, being ever drunk, and fechting amang themselves, and

giving themselves over to all manner of vice and villainy." Soon afterwards the three men-of-war arrived from Leith, when the greater part of the pirates made off in their pinnace. The privateersmen, however, captured the *Iron Prize*. Their prisoners were brought to Leith, and tried on 26th July 1610. Four turned King's evidence and were pardoned, but the remainder were hanged on Leith Sands, within flood-mark.

On 8th December of the same year eight English pirates were sentenced to be hanged upon "the sandis of Leith, within the floddis-mark." In 1613 two more, John Davidson and John Lewis, were hanged for piracy in the same place. An incident, which has been referred to by contemporary writers, occurred on the 10th of December 1613. A 48-gun ship belonging to the English Navy had been lying in Leith Roads for six weeks, at the end of which time it was about to return to London. In the absence of Captain Wood and some of his officers, who were ashore, an Englishman, in a drunken freak, set fire to trains of powder he had laid from stem to stern of the vessel, although his son and sixty of the crew were aboard at the time. About noon of that day it blew up. "The ship and her whole provision were burnt, only the bottom and some of the munition were safe. Twenty-four of the men were burnt or perished in the sea, the rest were mutilated and lamed, notwithstanding all the help that could be made. The fire made the ordnance to shoot, so that none durst come near to help." (Calderwood, vii. 178.)

But natives of Great Britain were not the only pirates of the seventeenth century. Privateering, or piracy, sprung up among the seafaring populations of Dunkirk and Ostend, when they found themselves cut

off from commercial enterprise by the strict blockade of the Flemish ports, which was maintained by Holland during her war with Spain. In the summer of 1622 a Dunkirk privateer was pursued by Dutch men-of-war into Leith harbour. In the ardour of the chase the Dutch captain continued to fire his guns after he had entered the port, and even struck some of the houses in the town. Against this outrage James VI. remonstrated with the Dutch Commissioners then in London, and demanded that their countrymen should remain in port two tides after the Dunkirk vessel had sailed. This demand was, however, rejected. The Magistrates of Edinburgh, having received orders from the Lords of Council to prevent further hostilities, successfully interfered to that effect. For half a year the three vessels lay inactive in Leith harbour. Thereafter the Dutch men-of-war put to sea, but kept a close watch on the Dunkirk vessel, still lying in port for fear of the superior guns of her enemies. Weary of his long detention, the captain of the Dunkirker, on the night of the 3rd May 1623, made an effort to escape, but ran his vessel aground upon a sandbank, "the Musselcap, within two pair of butt-lengths to the Bulwark." When morning dawned, the crews of the Dutch men-of-war caught sight of their prey in its disabled position. "Ranging up alongside, they poured broadside after broadside into the stranded vessel, till the falling tide compelled them to sheer off. So close were they to the shore that a man standing on the pier-head was killed by the shot. In vain the Lord Chancellor, Sir George Hay, with other members of the Privy Council, hurried down from Edinburgh to stop the slaughter. Before noon the Dunkirker was lying a hopeless wreck, abandoned by her crew. The moment that the unfor-

fortunate sailors set foot on shore they were set upon by an angry mob, and were robbed and ill-treated in every possible manner. The Privy Councillors were powerless. No one would assist them in maintaining order, or would give information where the stolen property had been concealed. The next day, in spite of repeated orders, it was found that no aid was to be got in Leith for the preservation of the abandoned ship. Equally in vain was an attempt to obtain assistance from Edinburgh. The Provost came, but scarcely a man accompanied him. Guns were at last brought down from the castle, and on the following day, after the King's flag had been hoisted on the wreck, an attempt, which proved fruitless, was made to get the vessel into the harbour. The Lord Chancellor himself lent a hand to the work, only to find on his return to land that the Edinburgh men who had been induced with much difficulty to guard the cannon had gone off, leaving the guns to their fate. His labours were at last drawing to a close. That night the Dutchmen set fire to the wreck, and spared him any further trouble." (Gardiner's *Hist. of Eng.*, vol. v. p. 82.)

In August 1627 happened an incident which put Edinburgh and Leith in a brief state of alarm. "There being upon the coast of Zetland about the number of two hundred and fifty Fleming busses at the herring-fishing, attended with nine waughters, . . . 'there came upon them fourteen great Biscayen Spanish ships, in whilk there were four thousand soldiers. . . . They set upon the Hollanders, and, sinking three of the waughters, the haill busses took the flight.' The Privy Council, duly apprised of these outrages on the 13th of the month, were taking measures for their correction, when, on the 16th, 'there

arose a great fray in the town of Edinburgh, for, the busses having left the waughters combating with the Dunkirkers, and having fled away therefrae, there came of them the number of threescore all together in form of ane half-moon, up the Firth of Forth, where, at the first perceiving afar off of such a number of ships in the form foresaid, as if they had been in battle or onset thereof, the haill people thought they had been ane army of Spaniards and Dunkirkers assuredly. Whereupon the Privy Council caused make a proclamation, that all manner of men, offensive and defensive, under the pain of death, should all in arms to the seashore, upon the first touk of the drum. All this day, the Lords of Council held their council at Leith, where also David Aikenhead, provost of Edinburgh, with some of the bailies and council thereof, attended the event of the said ships, till advertise the people of the town what they should do thereanent. About eight hours at night, by command of the Privy Council, the cannons were trailed down with furnishing thereto from the castle of Edinburgh till Leith, and the town of Edinburgh were put in arms under ten handseignies, every man better resolved than another to abide the worst till death, or they to put the enemies to destruction. . . . About ten hours at night certain word came by two boats that was sent from Leith, to the effect that they were our friends and only a number of busses fled from the tyranny of the Dunkirkers . . . and then the cannons were trailed back again to the castle, and the people were commanded to their rest.'"—Jo. H. (Chambers, *Dom. An. of Scot.*, vol. ii. p. 15.)

In 1615 Andrew Robertson, John Cowie, John Dauling, James Pratt, and others, mariners of Leith, were captured by Barbary pirates and sold as slaves

at Algiers. On the recommendation of the Privy Council, collections were made in the churches for their redemption.

A ship called the *Lion*, of Leith, with a crew of ten men, and commanded by John Brown, was captured by three Turkish men-of-war near the coast of France, while making for Rochelle. Brown and his men were taken to Salee and sold as slaves. They being poor, and their relatives "so mean and unworthy as they will do nothing," the Privy Council recommended a contribution on their behalf throughout Lothian, Berwick, Stirling, and Fife.

In October 1644 the ship of David Balfour was captured by Turkish pirates on its voyage to the West Indies. A petition in behalf of the prisoners taken on that occasion was presented to the Scots Estates, convened at Perth in 1645; who remitted it to the General Assembly—to be recommended to the Presbyteries within the shires of Lothian, Fife, Perth, and Stirling. Soon afterwards Alexander Riddoch, one of those Turkish captives, arrived at Leith, as agent for the release of himself and his fellows. His letter to the Commission of the General Assembly was read and transmitted to the Estates, who instructed their Commissioners in London to confer with the English Parliament for the joint liberation of all subjects of the British Isles imprisoned or enslaved in Barbary. The English Parliament, through their ambassador in Algiers, were to "advance £4000 out of the first and readiest sums of the *Brotherly Assistance* due to this kingdom," for the relief of all Scottish captives in Algiers, excepting such as had been captured aboard English vessels, and to negotiate for the security of Scottish trade from molestation by Turkish or Moorish

pirates, on such terms as should after sight gain the consent and approval of the Estates.

When Scotland espoused the cause of Charles II. the sister countries became regular sea belligerents. In 1651 an English ship bound for Leith was captured by the captain of Bass Island, her crew taken prisoners, and her cargo delivered to Sir John Smith, commissary-general of the Scottish Army; and in the same year another English vessel, laden with provisions, was taken by Captain Murray, and disposed of in the same way. There were reprisals, of course, by the English. On 20th August 1651 the *Convert* frigate brought into Leith two prizes—one a Dutch pink of one hundred and twenty tons, with a cargo of fish, tallow, hides, and beef; the other a ship of one hundred and sixty tons, with a cargo of meal and barley. In the latter were intercepted “letters of consequence from Argyle and others of that faction” to Lord Jermyn and other royalists in Holland. (*Scotland and the Commonwealth*, p. 317.) The governor of Leith now issued a proclamation against intercourse with the garrison of the Bass. Andrew Bennet, master of a boat belonging to the ferry near Elie, who had contravened these orders, was tried by court-martial at Leith, but was lightly dealt with; “for it appeared he was commanded in and forced to submit to some of the enemy in the boat belonging to Bass Island.” Stringent measures were next taken for the reduction of this sea-girt stronghold. A summons was issued for its surrender, the wife and brothers of its commander having been captured and brought prisoners to Leith, “whence they were to be shipped away,” unless he came to terms. He surrendered in April 1652.

CHAPTER IV

THE LAST OF THE LOGANS OF RESTALRIG

As already mentioned, the Parliament of 1592 passed sentence of forfeiture on all the followers of Bothwell, among whom was Robert Logan, laird of Restalrig. On 12th February 1593 he was denounced for not appearing to answer "upon his tressounable conspiracy, consulting, trafficking, etc., with Frances, sumtyme Erll Bothwell, in certain purposes agains his maiesties person and authoritie." On 13th June 1594 he was again denounced for not appearing before the King and Council to answer for "hamesuckin done by his two servants, Jokkie Houldie and Peter Craik," who had robbed Robert Gray, burgess of Edinburgh, of £950. He was involved in the Gowrie Conspiracy of 1600, though his connection with this strange affair remained unknown till nine years afterwards.

In 1609 George Sprot, a notary in Eyemouth and Logan's law agent, hinted to his neighbours that he could furnish a clue to the mystery which enveloped the Gowrie Conspiracy. According to his confession before the Privy Council, Robert Logan of Restalrig was privy to all Gowrie's intentions, and an accomplice in his crimes. Gowrie had corresponded with him on the subject. Frequent interviews had taken place between him and the Earl's brother, Master Alexander

Ruthven; and Laird Bower, Logan's chamberlain, carried letters between them. Letters had also been written to Bower himself, though he was so illiterate that he had asked Sprot to read them. Both Logan and Bower were now dead. But Sprot affirmed that he had read letters both by Gower and Logan, and produced in confirmation of his testimony several of Logan's letters, which curiosity had prompted Sprot to steal from among Bower's papers. These letters are five in number—one to Bower, another to Gowrie, and three of them without any direction. The last were written to a person of rank, who is styled the Right Honourable, but Sprot could not discover his name. From these letters it appears that the Master of Ruthven and Logan had fixed the King's hunting at Falkland as the most favourable opportunity for their attempt. Logan refers to the rich bribe wherewith Gowrie had secured his services, to his resolution to keep his promise, though it should bring him to the scaffold, and to the revenge that was meditated of the Macchiavellian massacre of their dearest friends. He invites the conspirators to a conference to be held at Restalrig, at which they should arrange the details of their plot over their *hattit kit and wine*, and fixes his fortress of Fast Castle, on the coast of Berwickshire, as the place where the Ruthvens were to bring their prisoner. The secrecy that was so much relied on for the successful accomplishment of the plot contributed to its failure. It is not unlikely it would have succeeded had the parts assigned to the conspirators been differently cast. Each of the brothers fell at his respective post. The same evening—5th August 1600—the King returned to Falkland, followed by the crowds that flocked from all quarters to congratulate him on his escape. The

next day the news reached the capital, and the joy of its citizens was unbounded. But a still more enthusiastic welcome awaited him when he crossed over from Kirkealdy and landed at Leith on the 11th of August. The people of Edinburgh and its suburbs, led by the Judges and Magistrates, met him on the sands, and escorted him as he rode in triumph to the cross. From this extempore pulpit Mr. Patrick Galloway, one of the royal chaplains, preached a sermon, still extant (*Piteairn, Crim. Trials*), in which he described the conspiracy and the timely rescue.

A different spirit actuated some of the leading ministers in Edinburgh. Consulted by the Earl of Gowrie on the subject of his conspiracy, and better instructed in its secrets than the King himself, they disbelieved his statements that an attempt had been made on his life. But James would take no denial. An Order of Privy Council enjoined them to keep a day of solemn thanksgiving for the King's deliverance. Five of them who refused compliance were banished from the capital, and interdicted, under pain of death, from preaching in Scotland. Four of that number, acknowledging their fault, were pardoned, and their punishment was remitted. But Mr. Robert Bruce, declaring that "he would reverence His Majesty's reports of that accident, but could not say he was persuaded of the truth of it," was sent into exile. In this matter, however, Mr. David Lindsay and his colleague, Mr. Andrew Lamb, proved their loyalty. Birrel records in his Diary that the King "went to the Kirk of Leith to Mr. David Lindesaye's orisone" on his triumphal return to his capital; and Mr. Lamb preached in the church of St. Giles some six days afterwards, in grateful commemoration of the King's deliverance.

The obstinacy of the extreme section of the Presbyterian party did not retard the proceedings of Parliament. The dead bodies of the Ruthvens having been brought before its tribunal, an indictment of high treason was preferred against them, and a unanimous sentence of forfeiture was passed upon them. It was further enacted that the very surname of Ruthven should be abolished, and that the anniversary of the 5th of August should be kept as a day of public thanksgiving. In accordance with the same ancient law, Logan's bones were dug up nine years afterwards, and placed before the same bar, when sentence of forfeiture was also pronounced against him.

The lands, with the patronage of South Leith, were afterwards by royal grant bestowed on James Elphinstone, Lord Balmerinoch. Logan's bones were re-interred. During the alterations on St. Mary's Church in 1847-48 a coffin covered with rich purple velvet was discovered under the session-house, where no interments had taken place for many years. Imagination may be excused for supposing that this coffin once enclosed the mortal remains of Logan. The cranium, long in the possession of the late Dr. Robertson, is sufficiently curious from the existence of an extensive fracture through the parietal bone, which had firmly united by callus during life—another link in the chain of evidence that would identify this skull with that of the turbulent baron.

Sprot's curiosity proved fatal to himself. He was condemned to be hanged for keeping these treasonable letters in his possession and not handing them over to the Government. He suffered death accordingly, in the agonies of which he testified to the genuineness of these letters.

CHAPTER V

JAMES I. OF ENGLAND

ELIZABETH, who was mixed up with the Gowrie Conspiracy—as indeed she was in every other intrigue against the internal government of Scotland—died on Thursday the 24th of March 1603. The news was at once communicated to James, who on the 5th of April began his journey southwards, and entered London on the 7th of May amid the acclamations of his new subjects.

Soon after James had ascended the throne of England negotiations began for the incorporation of the two kingdoms. A free interchange of rights, a common legislature, and the same laws against State offences, were sufficient of themselves to complete the union. But the proposal was premature. Time was required to remove or soften national prejudices due to the hostility that had long separated the two nations. The project of union ended in a federal alliance between the two kingdoms, based on voluntary submission to the same sovereign and on mutual suppression of all hostility. Nevertheless, troubles broke out between James's countrymen and their English neighbours, especially at sea. For composing these differences between his subjects of South and North Britain travelling by sea, and for avoiding all such contentions

hereafter, the King issued a proclamation, dated 12th April 1606, ordaining "the ships of both nations to carry on their maintops the flags of St. Andrew and St. George interlaced, and those of North Britain in their stern that of St. Andrew, and those of South Britain that of St. George." Accordingly, in April of that year, the Union Jack made its first appearance in the port of Leith.

Intimately connected with James's project of a civil union were his efforts to secure ecclesiastical unity in both kingdoms, and the opposition made to them by the clergy brought about a collision between Kirk and Crown. Whether a General Assembly could be lawfully held in opposition to the royal prohibition was one of the matters in dispute. The Assembly that met in Aberdeen in July 1604 was adjourned for a year by the King's command. Next July the Assembly was again forbidden to sit, but a small number of ministers met at Aberdeen, and opened the proceedings by electing John Forbes as moderator. An Order from the Privy Council compelled them to dissolve, but they agreed to assemble again at the same place on the last Tuesday of September following. For this act of disobedience to royal authority several of them were warded in Blackness. Forbes and John Welch, Knox's son-in-law, with four others, were brought to Linlithgow to appear before the Lords of Privy Council, and, when they declined their jurisdiction, were tried for treason in the Court of Justiciary on the 10th of January 1606. On the 23rd of October ensuing they were found guilty, and condemned to be banished from the King's dominions for life. James Melville has preserved in his Diary a touching description of their departure from Scotland. The leave-taking at the pier

of Leith in the early morning, when Welch led the prayers and a vast body of sympathisers raised their voices to the Lord their Shepherd in the words of the 23rd Psalm, is perhaps the best contemporary picture of the birth-throes and early struggles of Presbytery in Scotland. See *Appx.* 2.

Although James had promised at his departure to visit Scotland frequently, fourteen years elapsed before he fulfilled that engagement.

Upon the 13th of May 1617 the King entered Scotland, accompanied by the Duke of Lennox, the Earls of Arundel, Southampton, Pembroke, Montgomery, and Buckingham, the Bishops of Ely, Lincoln, and Winchester, and sundry barons, deans, and gentlemen. He stayed in Dunglass two nights, and a night in Seaton. Upon Friday the 16th he came to Leith, and about four in the afternoon proceeded to the West Port of Edinburgh, where he made his entry on horseback, that he might the better be seen by the people, whereas before he rode in the coach all the way. The Provost, Bailies, and Council, and a number of citizens and others, standing with speat [sharp-pointed] staves, received him at the port. Some eight months before, a great tempest had raged on the east coast of Scotland. "Upon the 16th of September 1616," says Calderwood (*History of Kirk of Scot.*, vol. vii. p. 242), "there arose such a swelling in the sea at Leith that the like was not seen before for a hundred years. The water came in with violence beside the bulwark, in a place called the Timber Holf [Howf or House], where the timber lay, and carried some of the timber and many lasts of herrings lying there to the sea, brake in [into] sundry low houses and cellars, and filled them with water. The people took the extra-

ordinary tide to be a forewarning of some evil to come." The "evil to come" could be nothing else than the advent of the King; for he came with his bishops, whose mitres were as odious to his Presbyterian clergy as the papal tiara, or the head of Dagon, the great fish-god of the Philistines, or the horns of Satan himself; with his choristers and singing boys, who, arrayed in white surplices, chanted the service of the Church of England in the chapel royal, which had been embellished with paintings and stained-glass windows, and fitted with organs—furnishings and decorations that suggest the gorgeous splendour of a Roman basilica. "In October," says Calderwood, "many craftsmen were set at work to repair the King's houses, specially the Abbey of Halyrudhouse and the chapel royal. About the middle of the month the organs which were to be set up in the chapel royal were brought to Leith."

The same natural phenomenon as prognosticated James's visit to Scotland signalised his death, which took place on the 27th of March 1625. The news reached Edinburgh on the 30th, at the time of an outbreak of a storm of extraordinary violence, which raged along the whole coast, destroying much shipping, and throwing down several harbours. "The water raise above the harbour of Leith, and ran into the houses of the town; yea, the boats and barks within the same floated so above the shore that some of them were cast away upon the sides of the houses; and great ships therein could not be keepit, with all their anchors and cables, from doing great skaith, ilk ane to ane other, whereof the like was never heard tell of in our days. Sundry mariners, keeping their ships [fra] skaith, were hurt themselves, and in special James Langlands and Robert Dury, two masters of ships, very

expert in that art, were baith cast away, working for the relief of their awn ships." (Chambers, *Dom. An. of Scot.*, vol. i. p. 553.)



THE ABOVE STONE WAS ORIGINALLY IN A HOUSE OPPOSITE
ST. THOMAS'S CHURCH, IN LEITH MILL LANE.

CHAPTER VI

MANNERS OF THE TIMES—TAYLOR, THE WATER-POET
—BEN JONSON

CONTEMPORARY records and writers give us glimpses of the social life of the people during the first quarter of the seventeenth century.

In 1601 a man was tried at Leith for stealing grain from a store he broke into by means of false keys; he was sentenced to have his hands tied behind his back, to be carried to Leith Roads, and there drowned.

Dr. Robertson says some of the entries in the North Leith records are equally interesting and curious. The first volume, which is imperfect, is dated January 1605.

The first entry is to this effect: "Forasmeikle as the pepill conveyes not tymeouslie in the kirk vpon the Sabbath dayis to the heiring of the word in respect thairoff, the Sessiounne concludit that intimatioun should be made to thame the next Sabbath be the pastre that they conveye mair tymeouslie in tyme cuning." Of the same date we have: "Compeirit Margaret Sinkler, being cited be the sessioun of the kirk, and being accusit for being at the burne the last Sabbath befor the forenones sermone confessit her offence and promeist amendment in al tyme cuning; was convict of v lb. and satisfeit as was injoint to hir." "10th January 1605, the qlk. day the sessioun of the kirk ordainit

Janet Merling and Margaret Cook, hir mother, to mak thair publict repentance the next Sabboth day befor none publictlie, for conceilling a bairne unbaptized in her house the space of xx weeks or thairby, and for giving the said bairne a name in thair awin hous be calling the said bairne Janet." Again: "Compeirit David Adamson, and being accusit for unreverent speeches made by him, as was confessit be himself, and for saying, 'The devil tak the pures silvier,' confessit his offence, cravit mercie at God thairfor, and promiseit amendment in all tyme cuming, and gif he were evir fund doing the lyke at ony tyme hereftir to be depyvit the office of the bell ringing." Another fully more curious is dated "Jan. 10, 1605.—Compeirit Marion Anderson, and being accusit for eraving curses and malesies upon the pastre and his familie without oney offense done be him or oney of his to hir, and the sessioun understanding she had beene banischt befor for being in a ludge on the links the tyme of the plague with ane Thomas Couper, sclaiter, being ane other wyves husband after ane maist slanderous manner, as was proved be sufficient witsesse; the said Marion was ordanit to gang to the place where she made hir offense, and thair confess hir sin, and crave mercie of God for it, and the haill sessionne in name of the rest of the neigbournes for hir evill exampill, did ordain hir never to be fund in thair bunds at na tyme heirefter vnder the paine of putting hir *toties quoties* in the jogis."

The origin of the "jogis" (jongs) is unknown. A fine pair from Galashiels may be seen in the Museum of the Society of Scottish Antiquaries. The "stocks" and the "branks" are of the same date. We have "20th June 1605.—David King, pokman, actit with his awin consent never to be fund drunken at na tyme heirefter

under the paine of sitting in the stocks twenty-four hours upone bread and water." At the same date, "Peter Waugh actit with his awin consent never to be troubland ather oney nichtbers hous or oney persone vpon the hie street under the paine of sitting in the Tolbuith twenty-four hours upone bread and water, and theireftir to stand in the jogis fra morne to even." An instance of the "branks" occurs at a later date: "1630.—Janet Henderson to be warded, and to be put in the branks the morne, for injuring John Robertson and his wife, and for mony othir offences." The "branks" may also be seen in the same museum. We have also repeated mention made of the "kokstule."

Another instance, July 1606; we do not specify the crime. "The said Janet Sherper became actit with hir awin consent to remove presently furth of thir boundis and never be fund a day and a nicht togidder in thir boundis heireftir, under the paine of sitting in the theiffis holl xxij hours and standing in the jogis six hours." "26th Februar 1607.—The quilk day, Patrick Ritche-sone, dacone, was accusit for being in his bot twa dyverse Sabboth dayes the tyme of the eftermones sermonne. The qlk ye sessionne yot [thought] was not cumlie, namlie, in a deaconne, yat sould give guid example to utheris, yey concludit yat gif ye lyke were done be him again at ony tyme heirefter, he to be actit of ane penaltie according to ye ordnce; quha confessit his offence, and promist amendment in tyme cuning." "The qlk day c'mpeirit James Downie, botman, and being accusit for prophaining last thrie Sabboth dayis be passing over ye watter wt his bot ye tyme of ye forenonnes was c'viet, confest his offence, cravit mercie at God yrfoir, and prameist amendment in tyme cuning; and was actit, wt his awin assent, never to

pass over ye watter vpon ye Sabbath dayis vnder ye paine of x pounds; for fulfilling of ye same Thomas Ormestoune became c'tioner for ye said sowme; and as preiureing Wm. Ramsay with injuries speiches, ye said James promiseist to satisfie him to his awin contentment." On 3rd October 1605 we have another singular instance of clerical power: "The quilk day a reasonabill number being convenit toguidder, they ordainit that quatsoever schip beis biggit above the brig and cumes thro the same, sall pay the somme of five pundis, by and aitour the repairing of oney scaith the brig shall happen to get, and this to be done for this cause—for the help to the biggin of the brig, and uphalding of the same."

As illustrating the habits of the period we add: "13th March 1606. — Compeirit Janet Thompson, spouse to Thomas Allesonn, and being accusit for being absent fra the kirk the last Sabbot afternone, and heiffing companie in hir hous wit hir the tyme of sermones, was ordereit to sit downe upone her knies and confess hir offense, crave mercie of God, and promise amendment in tyme cuming; was c'vict of v lb., and satisfeit accordingly, and eftir hir wayganging she saying, 'the fiend let the penaltie never do thame guid that racavis it,' was ordainit to come back againe and set down upon her kneis and confess her offense, the qlk she did, and promiseist never to say the lyke againe." Such entries as the following are of frequent occurrence: "The Lord's Day, 9th Augt. 1607.—Compeirit Christian Jamesone, and became actit, with hir awin consent, not to byd fra the communion in tyme cuming, under the paine of v lb." And sentences such as these: "Became actit, with thair awin consent, to learn the command or law of God betwixt and

Alhallames next cumming under the paine of v lb.; and giff ony of them absentit themselves twa dayis togidder fra the examination on the Sabboth, to pay x lb." "1607, 9th August, the qlk day also Andro Garcoch and Janet Gowddie, baith actit under the paine of x lb. not to byd fra the communion in tyme cumming, or else to be baneist the bounds." We shall only adduce another instance, which comparatively eclipses the system of jongs, branks, and stocks: "28th December 1609. — The quhilk day compeirit Janet Walker, and being accusit for haffing strangeris in hir hous on last Sabboth, the tyme of the sermone, confessit hir offence be sitting downe vpon her kneis, askit God's mercie for the same, and the sessiones forgiveness for her evill exampill, and promiseist amendment in tyme cumming, and ordainit to ludge na strangeris in her hous at na tyme heirefter, was actit of the penaltie of c lbs. and payit as was injoint on her." "Persones to mak yr repintance ye nixt Sabot — Cerlis Gutherie, bydyng fra the communion twa yeir fra ignorance of ye law of God; Issobell Leith, ane yeir for the same caus; William Oswell, twa yeir for the same cans — being citit be the sessioun yrfair, they submitted thameselves to the will of the sessioun, were ordainit to mak yair publict repentance the nixt Sabboth in presence of ye congregation, and actit thameselves to learn the commandments before ye next communion, God willing, and be at the same, under the penaltie of v lib. onlie, and for their better preparation to be at the examination under the paine of, *toties quoties*, ce lb."

The state of the times is still further illustrated by the following extract from a speech delivered on the estates of Sir Robert Hamilton, afterwards Lord

Binning :—"Edinburgh being the ordinary place of butchery, revenge, and daily fights ; the parish churches and churchyards being more frequented upon the Sunday for advantages of neighbourly malice and mischief nor for God's service ; noblemen, barons, gentlemen, and people of all sorts being slaughtered as it were in public and uncontrollable hostilities ; merchants robbed and left for dead in daylight, going to their markets and fairs of Montrose, Wigtown, and Berwick ; ministers being dirked in Stirling, buried quick in Liddesdale, and murdered in Galloway ; merchants of Edinburgh being waited in their passage to Leith to be made prisoners and ransomed."

Leith, as the chief port on the east of Scotland, was the scene of many of these acts of lawlessness. Being the point of departure for England on the east coast, either by sea or road, many persons passed through on their way across the Borders. The following incident will show how far absolute lawlessness could be stretched for objects not political :—"Alexander Gibson of Durie, known to practical lawyers as a reporter of decisions, resided in Fife, and was strolling one day along the sea-beach near his own house, when he was seized and gagged by a party of Borderers, carried over the Forth to Leith, thence to Edinburgh, through Melrose to the Border, and across into England. He was detained eight days in the castle of Harbottle, in absolute seclusion and ignorance of the part of the world in which he was. He was not yet a Lord of Session, but he held some legal office ; and the motive attributed to Christie's Will—the Borderer who thus spirited him off—was to obtain a legal decision of a kind to which the presence of Gibson of Durie in Edinburgh was deemed to be inimical."

Very different were the experiences of two English travellers who visited Scotland in the summer of 1618. John Taylor, the water-poet, set out from London, prompted by curiosity to see a country he had heard much about. Arrived at the western borders, he made up his mind to make the tour of Scotland, without any funds, and relying on the hospitality of Scottish lairds and innkeepers. He had no cause to regret having come to such a determination; for wherever he went he was sumptuously feasted and liberally supplied with money. At Leith he was the guest of Bernard Lindsay of Lochill, the *chamber chield* of James VI., who granted Lindsay the ruins of the King's Wark with its garden and adjacent waste ground, a *reddendum* of keeping one of its four cellars in repair for holding wines and other provisions for His Majesty's use being expressly mentioned in the royal charter. Lindsay's hospitality is thus gratefully acknowledged by "the penniless pilgrim":—

"Now haue with you for Leeth, whereto I no sooner came, but I was well entertained by Master Bernard Lindsay, one of the groomes of His Maiesties bed-chamber, hee knew my estate was not guilty, because I brought guilt with me (more then my sins, and they would not passe for current there), hee therefore did replenish the vaustity of my empty purse, and discharged a piece at mee with two bullets of gold, each being in value worth eleuen shillings, white money."

The relative fitness of Leith or Edinburgh to be the capital of Scotland is thus discussed by the water-poet:—

"But once more, a word or two of *Edenborough*, although I haue scarcely giuen it that due which belongs vnto it, for their lofty and stately buildings,

and for their faire and spacious streets, yet my minde perswades me that they in former ages that first founded that citie did not so well in that they built it in so discommodious a place; for the sea, and all nauigable riuers being the chiefe meanes for the enriching of townes and cities, by the reason of traffique with forraine nations, with exportation, transportation, and receite of variety of marchandizing; so this Citie had it been built but one mile lower on the sea side, I doubt not but it had long before this beene comparable to many a one of our greatest townes and cities in Europe, both for spaciousnesse of bounds, port, state, and riches. It is said, that King James the Fifth (of famous memory) did graciously offer to purchase for them, and to bestow vpon them freely, certaine low and pleasant grounds a mile from them on the sea shore, with these conditions, that they should pull downe their citie and build it in that more commodious place, but the citizens refused it: and so now it is like (for me) to stand where it doth, for I doubt such another profer of remouall will not bee presented to them, till two dayes after the faire."

Then follows his description of Leith's commercial greatness:—

"I was credibly informed, that within the compasse of one yeere, there was shipped away from that onely port of Leeth, four score thousand boles of wheat, oates, and barley into Spaine, France, and other forraine parts, and euery bole contains the measure of foure English bushels, so that from Leeth onely hath beene transported three hundred and twenty thousand bushels of corne; besides some hath beene shipped away from Saint Andrewes, from Dundee, Aberdeene, Disert, Kirkealdy, Kinghorne, Burnt-Island, Dunbar,

and other portable townes, which makes me to wonder that a kingdome so populous as it is, should neuertheless sell so much breadcorne beyond the seas, and yet to haue more then sufficient for themselves."

The same year Ben Jonson walked all the way to the land of his forefathers (his grandfather had been one of the Johnstons of Annandale), urged by the desire of meeting his friends in Scotland, of whom he had many. In September he was residing with Mr. John Stuart in Leith, where he was found by Taylor, who, on the eve of his retracing his steps to London, deemed either the dramatist or the seaport worthy of a farewell visit. His interview with the great tragedian is thus referred to:—

"Now the day before I came from Edenborough, I went to Leeth, where I found my long approued and assured good friend Master Benjamin Iohnson, at one Master Iohn Stuarts house: I thanke him for his great kindnesse towards me; for at my taking leaue of him, he gaue me a peece of gold of two and twenty shillings to drinke his health in England. And withal, willed me to remember his kind commendations to all his friends. So with a friendly farewell, I left him as well as I hope neuer to see him in a worse estate; for he is amongst noblemen and gentlemen that knowe his true worth, and their owne honours, where, with much respectiue loue he is worthily entertained.

"So leauing Leeth, I returned to Edenborough, and within the port or gate called the Netherbowe, I discharged my pockets of all the money I had: and as I came pennilesse within the walls of that citie at my first coming thither, so now at my departing from thence, I came moneylesse out of it againe."

Admiral Sir William Monson was another celebrity

of that age who thought that Leith should be the capital of Scotland. In his *Naval Tracts* (Churchill Collection, vol. iii.) he wrote in 1635 :—"Instead of Edinburgh, which is the supreme city, and now made the head of justice, whither all men resort as the only spring that waters the kingdom, I wish His Majesty did fortify, strengthen, and make impregnable the town of Leith, and there to settle the seat of justice, with all other privileges Edinburgh enjoys, referring it to the choice of the inhabitants of Edinburgh whether they will make their dwellings where they do, or remove to Leith, where they shall enjoy the same liberties they did in Edinburgh. His Majesty may do it out of these respects :—Leith is a maritime town, and will save great labour and charge in conveying their merchandise to Edinburgh, which no man but will find conveniency in ; Leith is a sea town, whither ships resort and mariners make their dwelling, and the Trinity House being settled there, and lies more convenient for transportation and importation, it being the port town of Edinburgh ; and in time of war may cut off all provisions betwixt the sea and Edinburgh, and bring Edinburgh to the mercy of it.



THE ABOVE IS FROM A DOORWAY IN MEIKLE'S CLOSE.

CHAPTER VII

PILRIG HOUSE

ABOUT this time the district between Edinburgh and Leith consisted almost entirely of green fields. Leith Walk had not yet been formed, and few, if any, houses existed in that neighbourhood farther east than Broughton. Conspicuous as a feature in the landscape was Pilrig House, situated about midway between Edinburgh and Leith. Regarding it Mr. Balfour Paul says :—

“There is not much to be definitely ascertained about the lands of Pilrig in very ancient times. It must always have been a place of considerable amenity, and its proximity both to Edinburgh and Leith would make it valuable both as a residence and for agricultural purposes. There was a curious tradition which lingered in a family—the last survivor of which I as a boy can remember. He dwelt, as his people had, I believe, for many generations, in a cottage with a kailyard attached, at the head of the old avenue, and between it and Leith Walk, as a tenant of the laird. The site of his cottage is now occupied by Balfour Street. The tradition I refer to, which he always maintained to be correct, was to the effect that Pilrig had been a country residence of Mary of Gueldres, the Queen of James II., the foundress of Trinity College. This would take us back

to the middle of the 15th century. Coming to actual facts, however, we find a Monypenny in possession of the lands in 1506, and his descendants held them for many years after. They were part of the large barony of Broughton, which David I. had granted to the Abbey of Holyrood. After the Reformation, Adam Bothwell, bishop of Orkney, got a grant of the barony, which he in his turn surrendered in 1587, in favour of Sir Lewis Bellenden of Auchnowl, the Lord Justice-Clerk.

“In 1601 Patrick Monypenny makes his appearance before the Lords of the Privy Council, complaining that, having intended to let that part of the ‘landis of Pilrig called the Roundhauch, to Harie Robertson and Andrew Alie in Leith,’ a certain David Duff and others had come to these persons and said that neither they nor anyone else were to have it. They had also threatened the laird’s servants when they were tilling the lands, had broken his plough and thrown it into the water, then, adding insult to injury, had gone to John Porteous, a tenant of Monypenny, and ‘bad him gang now betwixt the pleuch stilts and see how scho wald gang quhill the morne, and alsuo avowit to do the said Johne ane dischort and brek his heid,’ if he should say that they had broken the plough. When the case was investigated, there must have been a good deal of hard swearing on both sides, as the lords assoilzied the defendants, because they declared on their ‘grit aith’ that the accusations were false.

“Another interesting illustration of the habits and manners of the times occurs in connection with the lairds of Pilrig. In 1605, Patrick Monypenny, a boy under fourteen, but laird of the lands, his father having died shortly before, was, according to his mother’s story, forcibly carried off from a house at which he

was staying in Glendevon. The abductor was a kinsman of his own, James Monypenny of Pitmillie, and his object was to marry the boy to his own daughter. He carried him to Cleish Castle, which was not very far away from the house whence he had been taken, and he was detained there by the proprietor, Robert Colville. Pitmillie being charged with this escapade before the Council, calmly produced the juvenile laird of Pilrig, who said it was his own free choice to remain with Pitmillie—whose daughter he had married. The Lords, however, were not altogether satisfied, and ordered Pitmillie to find caution in 5000 merks, that he would produce the boy freely before the Session at the first day of Court, in order that curators might be nominated for him.

“From the Monypennys the lands of Pilrig passed to Gilbert Kirkwood in 1623. He it was who built the house which still stands, a good example of the style of the period—as Messrs. MacGibbon & Ross say (*Castellated and Domestic Architecture of Scotland*, vol. v. p. 343)—in the absence of all defensive features and the introduction of Renaissance details in its quaintly formed gables and chimneys.

“The original entrance door was on the ground floor, and was surmounted by a carved pediment, containing probably the arms of the founder and of his wife, Margaret Foulis. Their initials, G. K. and M. F., are cut on each side of the shield, and the verse of Scripture—‘For we know that if our earthly house of this tabernacle were dissolved,’ etc. The date of the actual erection of the house is 1638, as shown by its being carved on two of the windows. The west gable is of exceptional thickness, having to hold a wide kitchen

chimney ; this makes space on the first floor for a deep alcove on one side and a small strong room on the other, at one time probably furnished with an iron door. At present there is within it a fine iron chest, which tradition says was one of the 'treasure chests' contained in one of the ships of the Spanish Armada. The door into the garden from the first floor is a later alteration, though it is probably earlier than the time when the new dining-room and drawing-room were built.



PILRIG HOUSE.

"I do not know whether Gilbert Kirkwood has the credit of planting the long avenue to the south of the house, leading up to Leith Walk, or of laying out the grounds as a whole, but no doubt they were laid out about that time, and the whole place must have had singularly pleasant surroundings ; indeed, up to quite recent years, when the stone-and-lime demon could no longer be repelled from its vicinity, it continued to be a very pretty old-world spot, and so long as the old house stands, and the garden blossoms and fruits year by year, it will never altogether lose its character.

“The Kirkwoods disappear from Pilrig after what must have been a comparatively short reign, for in 1717 it was sold by Sir William Douglas to William Alves. Indeed, for the next year or two it changed hands with quite startling rapidity. Alves sold it in the same year in which he bought it, to Lord Rosebery, and he in his turn seems to have almost at once disposed of it to James Balfour, merchant in Leith, in whose family it has remained ever since. While the Balfours only became possessed of Pilrig in 1718, some family of the name had lived quite in the neighbourhood many years before; for we find the lands of John Balfour mentioned as bounding a croft granted by Matthew Forrester, the head of St. Anthony's Preceptory, Leith, to David Forrester, in a charter which was confirmed by the King on 23rd January 1570-71.

“Readers of Mr. Robert Louis Stevenson's books (whose mother was the daughter of a cadet of the Balfours of Pilrig) will remember that at the end of *Kidnapped* the heir is left on the point of going to consult his kinsman, the laird of Pilrig, and he figures somewhat largely in the subsequent account of David Balfour's adventures in *Catriona*. James Balfour, the laird referred to, was Professor of Moral Philosophy from 1754 to 1764, when he was transferred to the Chair of Public Law, which he held for fifteen years. He was also Treasurer of the Faculty of Advocates, an appointment which it happens that I, his direct descendant, have also the honour to hold.” (*Trans. Edinburgh Architectural Association*, vol. ii. p. 204.)

CHAPTER VIII

SUPERIORITY OF LEITH

BEFORE the middle of the sixteenth century, the ill-feeling stirred up by the cruel policy which Edinburgh pursued towards Leith had risen to such a pitch as to find its most fitting expression in these words of John Knox :—

“It is not unknowin to the maist pairt of this realme, that thair hes bene ane auld haitrent and contentioun betuixt Edinburgh and Leith, Edinburgh seiking continewallie to possess that libertie, quhilk be donatioun of kyngis they have lang injoyit, and Leith, be the contrary, aspyring to ane libertie and fredome in prejudice of Edinburgh.”

Speaking of the right of Mary of Lorraine to Leith, he adds :—

“The Quene Regent, ane woman that could mak hir proffitt of all handis, was nott ignorant how to compass hir awin mater, and thairfoir secreitlie sche gaif adverteisment to sum of Leith, that sche wald mak their Toun fre, gif that sche mycht do it with any cullour of justice. Be quhilk promise, the principall men of them did travell with the laird of Restalrig, ane man nether prudent nor fortunat, to quhome the superioratie of Leyth appertenit, that he sould sell his haill tytle and rycht to our Soverane, for certane

sowmeis of money, quhilk the inhabitantis of Leith payit, with ane large taxationn mair, to the Quene Regent, in hoip to have bene maid free in dispite and defraud of Edinburgh." (*Works of John Knox*, Ban. Club, vol. i. p. 426.)

To ingratiate herself with the inhabitants of Leith, and to secure them to the interest of her daughter, Queen Mary, she obliged herself by a contract, dated at Holyrood House, 30th January 1555 (*see Appx. 3*), to erect their town into a burgh of barony, with letters of bailiary, to continue in force till she erected it into a royal burgh. As a preparatory measure, she purchased of Robert Logan of Restalrig the superiority of the town and of the links for the sum of £3000 Scots, which had been advanced by the Leithers. A few days later she granted letters-patent empowering them to choose bailies, with charters (according to Maitland) for erecting their trades into corporations.¹ Nothing further was done. Neither did the town gain its freedom, nor did its inhabitants recover their money. The queen-dowager, wife of James V., died, and Edinburgh reaped the sole benefit of the transaction; but it was not till ten years afterwards that it did so.

Mary Queen of Scots having ascended the throne, in 1565 the Earl of Murray, with several of the nobles, rose in rebellion against her. The disbursements for her marriage, and the expenses of keeping numerous forces in the field, had exhausted her treasury. A proclamation was issued, summoning the lieges to equip themselves for the war. Every one of the burghs

¹ All the Leith trades were not incorporated by Mary of Lorraine, and therefore the statement of Maitland is somewhat loose. The oldest seal of cause of the Leith incorporated trades is apparently that of the tailors, which is dated 1515; the cordwainers' seal of cause is dated 1550, and that of the weavers 1554.

compounded to be exempted, and a tax was imposed on them. An extent of £200 sterling was demanded from Edinburgh, but its Town Council refused to pay this sum. In lieu of the levy of two hundred men, which they had ordered on the 4th of August, they voted on the 24th that £1000 Scots should be paid to the Government. But this sum was quite insufficient. A sum of £1000 sterling was required. More stringent measures were now taken with the burgesses of Edinburgh, who, however, reaped great advantage from their compulsory assessment, inasmuch as it secured to them reinfestment in the superiority of Leith. How they became its possessors is thus narrated by the author of the *Diurnal of Occurrents*, a contemporary of these events:—

“Upoun the 27th of September [1565] our soveranis causit certain of the principallis of Edinburgh to come to thame to Halyrudhous, and after their coming, sum of free will and sum brocht against their will, our soverane lady made ane orisoun to thame, desiring them to lend to her certain sums of money, which they refused to do; and, therefore, they were commanded to remain in ward within the old tower wherein my lord of Murray lugeit; and therein they remained.

“Upoun the 29th day of September thair was certain of the saidis principallis to the number of sex put in waird within the castell of Edinburgh to thole the lawis for certane crymes; and, because thai appointit [came to terms] with our soveranis, thai were put to libertie.

“Upoun the sext day of October 1565, the principallis of the said burgh of Edinburgh aggreit with our soueranis in this maner, to lend thair majesties ten thousand merkis upoun the superiorite of Leith under the reversioun, and thai to have the infestment thair of,

but not to have any introumissioun thairwith unto the feist of pasche nixtocum, and als gaif to thair hienessis ane thowsand pundis, to suffer the haill town to remain at hame. For this sowme of ten thowsand merkis thair stentit all maner of personis dwelland within the said burgh, and borrowit thair extent fra thame, and pait the samin to our soueranis. Upoun the tent day of October, the provest, bailies, counsall, and deacons and communitie past down to Leyth, and thair in the tolbuyth thair of ressavit stait and seising of the said superiorite of Leith." (*Diurnal of Occurrents*, p. 84.)

The Government, as this writer informs us, borrowed the sum of 10,000 merks Scottish money from the Magistrates of Edinburgh, and gave them the superiority of Leith in security for their loan. This money was advanced by 381 persons out of ten of the city incorporations. In the tax rolls of the Council Register may be seen the names of the contributors, and the amount of their contributions. The largest sums were given by twenty-five lawyers. The charter of the superiority of Leith, which the Common Council received, bears the date of 14th November 1565. In terms of the agreement of 6th October the notables of Edinburgh were "not to have any introumissioun with the superiority of Leith unto the feist of pasche nixtocum." Soon afterwards the Queen sent a letter to the Council, that there should be a further delay till St. Luke's day—the 18th of October. When they failed to reply to the royal missive (it has not even been entered in the Council Register), she wrote a second time, renewing her former demand. "We cannot but marvel," she says, "that ye sa obstinately to ganestand that our reasonable desire and request." They at last complied. Their obedience on this occasion emboldened

Mary to ask that their taking possession of Leith might be deferred till the 31st of December 1566. Soon afterwards, on the 15th of February 1566-67, the day after King Henry's funeral, the reversion of the superiority of the town of Leith was bestowed by Queen Mary on her favourite, the Earl of Bothwell. In the charter-house of the city of Edinburgh may be seen the original deed of assignation, of which a translation is given in Appendix 4. This was a very important grant, as it gave the fortunate possessor not only the command of the principal port in the kingdom, but a great ascendancy over the citizens of Edinburgh, who had coveted it.

At last, on the 4th of July 1567, the provost, bailies, and deacons of Edinburgh, taking advantage of the general confusion to assert their claims, and mustering the whole burgher force of the city, marched to the links of Leith. Thence the Magistrates proceeded to the town, and "held ane court upon the Tolbuyth stair of Leith, and created bailies, sergeants, clerks, and demstars, and took possession thereof in virtue of their infeftment, made by the Queen's Grace to them."

As early as 1569 the Common Council of Edinburgh entered upon their narrow-minded policy of interference with the guilds of Leith. The deacons chosen by the crafts of Leith were cited before the Magistrates of Edinburgh, who charged them with having arrogated to themselves the rights of free trades, and ordered them to be confined in prison till they renounced their titles of deacons and relinquished their claims to be free men. Intimidated by these proceedings, they submitted themselves to their superiors. A decree was now framed by the Council, setting forth the rights

of the citizens of Edinburgh over their vassals in Leith.

In 1579 the Leith incorporation of cordwainers, having, as usual, elected their deacon and other officials, were summoned before the Magistrates of Edinburgh, and two of the officials committed to prison for this dire offence. "18th November 1579.—The baillies and counsall, efter avysement with the complaynt product befor thame be the dekyn and brother of the cordinar craft of this burgh aganis the cordinaris of Leith, bering thame to have chosin amangis thame in thair pretendit maner ane dekyn callit William Ahannay, and ane vther callit Eduard Kirkpatrik, for thair officiar, for admitting of prentessis and resaving of oulkie [*blank*] als frelie as gif the said tovne of Leith war ane frie burgh in contrair ane decreit past of befor aganis thame, and thairfor desyrit remeid suld be put thairto as in the said supplicatioun is at lenth contenit. Findis the said William Ahannay, pretendit dekyn, and Eduard Kirkpatrik, pretendit officiar, for thair contempt, suld remane in waird for disobeying of the said decreit, induring the prouest, baillies, and counsallis willis, and as for the vtheris occupearis of the said craft in Leith, that they compeir on Setterday nixt in the tolbnuyth of Leith for fynding of caution to ansuer forther to the said complaynt, and fra ony forther vsing or exercing of the said craft in the said vnfreie tovne of Leith."

In regard to the oppression to which the Leith guilds were subjected, Campbell says, "The incorporation of Cordwainers in Edinburgh compelled the craftsmen of that incorporation in Leith to attend their occasional meetings, standing on the outside of the door, where they were obliged to remain patiently

until summoned into the august presence of the illustrious deacon and his colleagues." The Edinburgh incorporations also "compelled them to pay £2, 13s. 4d. Scots for each apprentice's indenture, with half a crown to their clerk, for which he did nothing, as their papers were always written by their own clerks in Leith. . . . When they wished any of the corporations of Edinburgh to appoint a meeting of their body to receive a freeman, they were compelled, in the first place, to go up to the city, and to treat the members of that incorporation with which the business was to be transacted, in a tavern, to the amount of £10 or £12 Scots. This the Edinburghers facetiously called a *speaking penny*. . . .

"Although the incorporations of Edinburgh compelled the corresponding bodies in Leith to pay into their funds all the charges and exactions which it is customary for members to pay, and which of course entitled these members to a small pittance when age or misfortune has rendered them unable to support themselves, this claim upon their benevolence, however, they thought proper, in every instance, to reject, refusing even the smallest sums to those applicants who were simple enough to seek their aid."

The jurisdiction over Leith, the inhabitants of part of which were burgesses within the regality of Holyrood, was now contested by the lords of Holyrood House. Their rights of regality came into conflict with the superiority of Leith, newly acquired by the community of Edinburgh. For the solution of this debatable question both parties had recourse to litigation.

For example, this complaint is "presentit to my lord Regentis grace and Lordis of Secreit Counsall be ane reverend Fader, Adame Bischop of Orknay, Com-

mendatare of Halierudhouse, and utheris, his fre tenentis and inhabitantis of his regalitie within the Cannogait, Leith, barony of Brochtoun, and thair pertinentis nixt adjacent to the burgh of Edinburgh," against its bailies. He reminds them that the inhabitants of all the towns, baronies, and their pertinents are "on na wayis subject to ony jurisdiction under the Prince except to thair awin lord and his bailies"; states that in the month of December last bypast the Edinburgh Magistrates infringed the rights of freemen in the Canongate in selling wine within that free burgh, for which an action before the Lords of Session is still pending; and specifies fresh instances of oppression perpetrated by the Edinburgh bailies on the citizens of Leith, as follows:—

"Edinburgh, 12 Sept. 1569.— . . . And sielike laitlie, becaus the fremen cordinaris of the Cannogait and Leith within the said Regalitie wald nocht contribute with the fremen of thair Burgh, thai maisterfullie and be way of deid reft fra Andro Purves and Williame Porteous, cordinaris and fremen of the said burgh of the Cannogait, thair maid sehone and utheris waris quhilk thai had to sell in the Monondayis fre marcat of Edinburgh, and sielike laitlie tuke and impresonit certane of the cordinaris dwelland in the said toun of Leyth within the Regalitie foirsaid, and in speciall ane callit David Robertsoun, for the refusing to contribute with thame as said is; and dalie continewis in thair molestatioun foirsaid of quhatsumevir nychtbouris of craft, alsweill of tailyeouris as smythis and utheris craftismen; and will nocht desist thairfra, howbeit the nychtbouris of the said burgh of the Cannogait and regalitie abone-written be on na wayis subject to ony jurisdiction inferiour under the Prince, except to thair

awin Lord and his Bailies. . . . Bayth the partiis comperand personalie ; thair ressonis and allegationis being hard and understand—My Lord Regentis Grace and Lordis of Secreit Counsall ordanis and commandis bayth the saidis partiis to desist and ceise fra all attempting of ony thing aganis utheris be violence or way of deid in tyme cuming, bot to persew all thair actionis caussis and contraversiis be ordour of law and justice, under all lieast pane, charge and offence that thai and ilkane of thame may commit and intrin aganis oure Soverane Lord in that behalf.” (*Reg. P. C. of Scot.*, vol. ii. p. 33.)

The Chartulary of Holyrood Abbey (Ban. Club), pp. lxxxv.—cxv., contains another example of a lawsuit between the same parties. The pleas of plaintiffs and defenders are given at great length ; but neither there nor in any printed collection of Decisions does it appear how the matter in dispute was settled.

The alienation of the superiority of Leith had been in the hands of the community of Edinburgh for twelve years, when an attempt was made to have it restored. As the town and the links of Leith had been granted to them only for a time, the King’s Ministers considered it right that the superiority of Leith should come again into the possession of the Crown. They prevailed on the King to write a letter to the Common Council for that purpose. The King’s letter runs as follows :—“ Prouest, Bailies, and Counsale of Edinburgh, we greit you hartlie weill. We vnderstand the superiorite of oure toun of Leyth, with the linkis thairof and thair pertinenttis, conquest be the Quene Regent oure darrest guddame of gude memorie fra vmquhile Robert Logane of Restalrig, and resignit be him in the fauouris of the Queene oure moder, and hir successouris, to

remane perpetuallie with the Crown of this oure realm, the sam superioritie and lynkis war analiit be hir to yew, vponn sic oecatioun and necessitie as occurrit for the tyme, for ane certane soume of money. And now we, with Goddis grace, growing to perfectioun of yeris and knowlege of the effaris of oure croun and realme, vnderstanding na pairt of oure patrimone to be thus analiit, and willing with the first to receve oure richt and possessioun of the said superioritie and lynkis, we have thoct gude, be oure awin letter, and this gentilman berer heiroy, our familier and dalie seruand, hartlie and effectuislie to requeist yow, of quhais gude effectioun and constancie to oure seruice in oure les aige we haue had gude prufe, that the premissis considderat, respecting alsua quhat commoditie ye haue resaut of the said alienatioun, ye will now thairfor gratifie us be letting ws haue again the said superioritie of Leyth, lynkis, and superioritie to be vsit be ws as oure patrymonye, to sic vse and end as may best serue for auancement of oure seruice; quhairin ye shall nocht onlie do ws ane thankfull plesour, bot ye sall haue experience of oure fanourable gudewill towert you in ony mater tending to your weill and commoditie although it wer of greitter auale. And remytting the farther declaratioun of oure mynde to this gentilman, berer heiroy, we commyt you to God. At oure eastell of Striueling, the third day of December 1577.—JAMES R."

The Provost, Bailies, and Councel having taken this letter into consideration, resolved to send a deputation to wait on His Majesty at Stirling. On 23rd December 1577, "the prouest, baillies, and counsale, efter avisement with our Souerane Lordis letter aboue-written, they have thoct gude and concludit that the personis vnderwritten be send to his Hienes with thair

letter and instructionis which salbe gevin thame in wryt, viz.:—Alexander Vddert, Robert Kar, baillie, Maister Jhoune Prestoun [and ten others], ordanis James Ros, thesaurer, to deliuer to Henry Nysbet money to sustene thair chairges honorablie. 29th December 1577.—The personis before-written send to Stireling to the Kingis Maiestie, being well acceptit with his Grace, reportes he is nocht willing to be hurtfull to his subiectis of this his awin toun, bot rather sall be fund helpfull to thame in all their lauchfull effaris, and will nocht forget the gude seruice done the yeris past in his lesaige, and sall gyf thame occatioun to continew in weill doing and seruing of him, and forther he sall write to the Regent in thair fauouris,” etc.

The Stirling deputation's expenses had to be paid, but in those days their demands were very moderate. On 28th March 1578, “the prouest, baillies, and counsale ordanis James Ros, thesaurer, to deliuer to Alexander Vddert xxiiij li. vxi s. ij d. for the expens of the baillies sent to the Kingis Maiestie in Stireling.”

The original document on which King James had based his claim to the superiority of Leith was ordered to be put in the Register House, then in the Castle of Edinburgh. 22nd April 1581.—“The quhilk day, in presence of the Kingis Majestie and Lordis of Secrete Counsale, comperit personalie Maister Petir Young, preceptor to his Hienes, and producit ane reuersioun, subscrivit and gevin to the richt excellent, richt heich and michtie, princessis Henrie and Marie, be the grace of God King and Quene of Scottis, thair airis, successeuris, and assignais, be the provest, baillies, counsale, and communitie of the burgh of Edinburgh for the tyme, of all and hail the superioritie of Leith, with the pertinentis, contenand the sowme of ten thowsand

merkis, of the dait at Edinburgh the aucht day of October, the yeir of God j^m v^c thre scoir fyve yeris,—desiring that he micht be relevit thair of, and the samin to be committit to be kept quhair his Hienes and the saidis Lordis suld think maist meit. The Kingis Majestie, with avise of the saidis Lordis, ordanis Alexander Hay, clerk of his Hienes Register, to quhom the said reversioun wes instantlie deliverit, to put and place the same in his Majesties Register Hous in the Castell of Edinburgh, thair to remane in his Hienes coffers, with utheris his Majesties register and recordis, for the bettir keping thair of to his Hienes use as efferis; and thairfore exoneris, quit-cleames, and dischargeis the said Maister Petir Young of the samin for now and evir be thir presentis.” (*Reg. P. C. of Scot.*, vol. iii. p. 373.)

The money lent on the superiority of Leith by the ten corporations of Edinburgh was about this time a bone of contention between them and their civic rulers: “On 30th June 1581, the deykinis of craftis vnderwritin, viz.: Gilbert Primrose, chirurgene, David Danielstoun, gold smyth, Jhone Nicolsoun, cordiner, Patrik Broun, skynner, Jhone Henrysoun, flescheour, William Fiddes, baxter, in name of the haill craftis beand requyret for thair avyse and consent to the reparatioun of the auld Tolbuith, ansuerit that it wes mair necessar to relief the commoun guid quhair it is thirlet, and that thai wer payet of the money lent on the superiority of Leyth.” The payment of this loan was urgently demanded by its contributors. The Council, therefore, turned their attention to the best means of having it satisfactorily settled.

On 28th February 1581–82, “the baillies and counsale, [and deacons of crafts] for thame selftis and

thair successouris, prouest, baillies, counsale, and deykinis of craftis of the said burgh, being of guid mynd to tak ordour for payment of the nichtboures of this burgh, merchantis and craftismen, quha lent and avaceit any pairt of the sowme of ten thousand markis vpon the superiority of Leyth, conform to the taxt rollis sett furth thairvpoun in the moneth of September the yeir of God j^m v^c lxx yeiris, and dyvers actis followand thairafter contenit in the counsale buik of the said burgh, hes accordet, agreit, and als ordanit as followes : First, vnderstanding the men of law hes resaut the sowme of allevin hundreth sextein pund, threttein schillingis, four penneis avaceit be thame to the guid towne of the said x^m merkis, and that the craftis avaceit ane thousand, thre hundreth, fourty sevin pund, aucht schillings of the said sowme quhairof thai haif resaut fyve hundreth merkis swa restis awand thame the sowme of [blank], the rest wes avaceit be the nichtboures merchantis extending to [blank] quhairof thai haif resaut na payment, that thairfore the saidis craftis sall haif payit yeirlie to thame the sowme of fyve hundreth and sevin markis and the saidis merchantis twa thousand ane hundreth and ane merk yeirlie makand in the haille the sowme of twenty sex hundreth and aucht merkis yeirlie ay and quhill the saidis merchantis and craftismen be compleitlie payit ; quhilk sowme of twenty sex hundreth and aucht merkis sall be payet of the readiest of the yeirlie rent of the commoun mylnis of the said burgh quarterlie at Candilmes, Beltane, Lambes, and Allhallomes, begynmand the first termes payment at this last Candilmes, the payment to be maid to ane collectour to be chosin for the pairt of the merchantis be the counsale, and to ane vther collectour for the pairt of the craftis

to be nominat and chosin be thame and the said collectouris for the merchantis to ramburse the nichtbouris haevand guid richt thair particulare sowmes conforme to the said taxt rollis, and to report thair acquittances thairypoun for the townes relief and thair awin, as alsua to mak his comptis yeirlic of the sowmes resaut be him, at the tymes of the making of the townis comptis; and for suir payment be the guid towne of the said sowmes ordanis and als commandis and chairges thair thesawreris present and to cum to answer, obey, and mak thankfull payment at the said termes to the said collectouris, and the said thesaureris to retene swamekill of the commoun rent in their handis to that effect; quhilk payment sall be thankfully allowet to thame in thair comptis thai produceand and deliuering sufficient acquittances of the said collectouris. And fynallie gif the rest of the commoun rent sall nocht serue to the commoun effaires of the towne, the saidis prouest, baillies, counsall, and deykinis for thame selffis and thair successouris foresaidis, consentit and ordanit that ane taxt be raisit thairfore of the hail body of the towne swa that the nichtboures may still resaue payment quhill thai be satisfeit but ony dispensatioun with thair presents in the meane tyme for it is na guid ressoun that the rest of the towne quha buir na burding of the said avancement suld be relevit with the money appoyntit to pay the said nichtbouris." (*Rec. Burgh of Edin.*, vol. iv. p. 230.)

James, after his futile negotiations with the Corporation of Edinburgh in 1577 on the subject of the superiority of Leith, does not appear to have afterwards renewed his request, but in 1587, on the attainder of the Earl of Bothwell, he conveyed the reversion of the superiority to Lord Maitland of Thirlstane, from

whom it descended to his son, Lord Thirlstane. *See Appx. 5.*

“About 1607 the Edinburghers,” says Campbell, “either from a sudden impulse of alarm, created by reflecting on the precariousness and imperfectness of their title to the superiority of Leith, or from a desire to secure their prey in such an effectual manner as to preclude all hope of escape, set actively about obtaining the reversion of the superiority which James VI. had conveyed to Lord Maitland.”

On the same subject, Maitland says: “The Edinburghers, out of a strong propensity to become superiors of the town of Leith, appointed certain commissioners to treat with Jean Fleming (Lady Cassills) and Lord Thirlstane, for purchasing of them the reversion of the superiority of the said town, and all other rights they might have relating thereto. But being informed that the Leithers were in treaty with the said lady for her interest in this affair, they were seized with great surprise, insomuch that the Common Council ordered John Hay, their deputy town-clerk, forthwith to repair to England, and to use his utmost endeavours at Court to thwart the Leithers in their design, and to leave no means unattempted to obtain the said reversion for their use.

“This affair by proper application was managed with such address and success that the aforesaid reversion was purchased for the Edinburghers (to the no small regret of the Leithers), and the sum of fourteen thousand merks ordered to be paid to Lord Thirlstane for his interest in the said reversion. And although application was by the Town Council ordered to be made to the above-named Lady Cassills for her interest in this affair, yet I could not in the records of Council discover any money paid to her on that account. But

that the sum paid to her on this occasion must have been very considerable is manifest, for the Leithers, by their agent, Robert Lindsay, made the said Lady Cassills a tender of six thousand merks for the said reversion, which was done by consent of the King on the twenty-fourth day of December, anno 1604; wherefore I think it may not improperly be supposed that Thirlstane bought Cassills's interest in the said reversion."

The reversion, having been thus secured, was ratified by Lord Thirlstane in November 1614, by which time he had attained his majority.

All previous charters, statutes, and rights in favour of the city of Edinburgh were ratified and confirmed by a charter of James VI., dated 15th March 1603. This charter, on account of the many privileges and immunities it contained, was called the "Golden Charter," by which title it is still known. But in reference to it Maitland says: "The truth is, that this latter charter contained grants of divers articles, derogatory to the honour and dignity of the Crown." A new charter, preceded by a contract dated 8th August 1636, was accordingly granted by Charles I., 23rd October 1636, substantially the same as the preceding. "This document is the more material, because, prior to its date, the whole property of the city was relinquished and resigned into the hands of the Crown, not for the mere ordinary purpose of feudal investiture, but, as the charter itself bears, 'for putting an end to all doubts and controversies, touching a preceding grant by James VI.'" A charter, dated 11th December 1639, conveyed the superiority of Holyrood House, including North Leith, to Edinburgh. *See Appx. 6. (See Reg. Mag. Sig., vol. ix. No. 605, and Reg. Sec. Sig., lv. 282.)*

In 1630 the Town Council again endeavoured to enforce all the old restrictions upon Leith, and to that end besought the aid of the Court of Session—11th March 1630. Edinburgh having in 1398 acquired from the laird of Restalrig a bond of servitude whereby he, as baron and heritor of Leith, and his successors renounced, in favour of Edinburgh, all privilege of girmelling of victual, or baking, or keeping booths for selling of wares, or holding markets within Leith, which writ was confirmed by James VI. in 1621, Leith was charged to conform thereto. The case was argued at some length, and the Corporation so far gave way as to agree that the indwellers in Leith might set their houses, for girmels, to all the lieges, and that the whole subjects, except Leith, might girmel victual in Leith, and also that the indwellers in Leith might sell, girmel victual, and bake bread, all for their own use, but no further to block and sell again, without licence from Edinburgh.

During the Cromwellian occupation of Leith, the English settlers, aggrieved by the hardships inflicted on them by the Magistrates of Edinburgh, represented their case by means of a petition to General Monk (23rd October 1652): "I heare there is a petition drawne up and subscribed by many of the inhabitants of Leith, to the Parliament, for making them a corporation, distinct from Edenburgh; which request is so just and equitable that I hope it will bee granted, that town having been under the greatest slavery that ever I knew" (Letter, William Clarke to Speaker Lenthall). He reported their grievances to the English Government. With a view to the redress of their complaints, the Protector appointed Monk and two of the Scottish judges to

determine all matters in dispute between the citizens of Edinburgh and the inhabitants of Leith. But the Lords of Session being occupied with other business during the sitting of the Courts, the decision of this question was referred to the Council of State in Scotland. The Common Council of Edinburgh, fearing their loss of Leith, sent commissioners to treat with General Monk for a ratification of their ancient rights and liberties over the town. He ordered a council to be held on the 13th of May 1656, to which Edinburgh and Leith should send their representatives to decide the controversy betwixt those towns.

The dispute regarding the superiority of Leith was, however, settled in favour of Edinburgh by the Town Council granting to General Monk the sum of £5000 for the purpose of erecting a citadel in Leith, on condition that the city should still hold the superiority, and that Monk should not restore the old fortifications of the town.

As a convenient and reliable record of the city's titles to their property, etc., in Leith, the report of the city clerk to the Council in 1806 may be referred to. It will be found in Appendix 7.

As concerning North Leith, it may be mentioned that the inhabitants, in 1609, purchased the right of patronage of St. Ninian's, which was erected into a parish. In 1638 the Magistrates of Edinburgh paid the Earl of Roxburgh, treasurer of Charles I., 42,000 pounds Scots for the superiority of the Canongate and North Leith.

In 1617 the Town Council of Edinburgh purchased Bonnington Mills, with the teinds and lands thereof, from Robert and George Logan for 1230 merks.

CHAPTER IX

CHARLES I.—THE CIVIL WAR

CHARLES I. had little personal intercourse with Scotland, and still less with Leith. In November 1625 a royal proclamation was made at the market cross of Edinburgh, and pier and shore of Leith, announcing the new King's revocation of all grants by the Crown, and all acquisitions to the prejudice of the Crown, made either before or after King James VI.'s Act of Annexation in 1587. His own, like his father's statute, remained only the dead letter of the law.

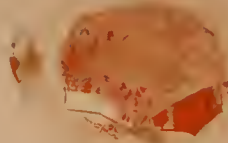
Baffled in the accomplishment of this project, Charles next appointed a Commission of Surrenders. This was a royal mandate electing a number of commissioners for receiving on behalf of the Crown the superiorities of the Church lands; and the King was at length able, by the assistance of the clergy and by the unanimous clamour of the landowners, to obtain a partial surrender of the tithes. The power of levying them in kind was abolished; the landholder was empowered to retain every season's tithe upon paying a certain sum, and to buy the entire right from the titular, the price to be paid for it being adjusted at nine years' purchase, and the salary of the parish minister was to be paid out of this commuted tithe. This adjustment of the tithes by King Charles freed Scotland from annoying



Charles R

Right reverend Father in God, right trusty & wellbelov'd Cousin & Council,
Right trusty & trusty & belov'd Counsellor, who greets you well,
Whereas we understand that there have been some abuses & disorders
in the managing of the things belonging to the hospital of St. Andrew which
opportunitie to your Merits, & that lastly you have taken great care
to see what hath been disordered there, reduced againe to the right
wherein of your sincerely & zealous care have thought fitt to desire you
to call before you such as have interest in the care & charge of the
hospital, & that you give order how your last discourse shall be made
that it may appear that all things are orderly & properly done, &
to this effect that with their ordinarie students you appointing of
the birth & one of the scholars of Edinburgh or any others you
shall think fitt as auditors to these Accounts, which we will
take acceptable for our discharge & for which the next
shall go warrant. We bid you farewell, from our Court at
Newmarket 10 October 1636

Countess of / Holford



encl

To the right reverend father in God
John Lord Archbishop of Andrews
metropolitan of all Scotland
& Chancellor of that Kingdome
the remanent lords & others of
your Council there.

encl

disputes between the clergy and their flocks, and anticipated the Commutation Acts of England and Ireland by upwards of two centuries.

Accordingly, when Charles visited his native land on the 16th of May 1633, the people received him with enthusiasm. On his way to the capital he passed through Restalrig, the lands of which were then in the hands of Lord Balmerino. On the 17th he entered Edinburgh, and was crowned in the chapel royal by the Archbishop of St. Andrews; he was afterwards proclaimed King of Scotland, England, France, and Ireland at the market cross of Edinburgh and the shore of Leith.

Charles soon afterwards went on a royal progress. Returning to Edinburgh from Falkland Palace, he was nearly drowned in his passage from Burntisland to Leith, in the course of which a sudden tempest arose, yet of so short a duration that it spent itself in less than half an hour. The boat conveying him to his own ship, which waited for him at Burntisland Roads, was overtaken in the storm, and was lost. With it perished eight of his servants, his plate, and his money, but he himself succeeded in gaining his ship, and landed safely at Leith.

No sooner had Charles returned to London than the cost of his reception in Edinburgh, which amounted to £3500 sterling, became a subject of complaint. The chief murmurers were the nobles, who, with some exceptions, retained all their old turbulence.

Among the discontented Scottish nobles, one, as deserving of special notice from his connection with Leith, was John Elphinstone, Lord Balmerino, who had taken a prominent part in the King's coronation. He was the son of Sir James Elphinstone, secretary of

James VI., who conferred many favours on him and created him Lord Balmerino. In the month of June 1634 he was indicted to "underlie the law criminally for being airt and pairt guilty of an infamous libel against the present Government." The dittay pursued against him by the King's advocate was found relevant in three points:—(1) in keeping and counselling the libel contrary to the Acts of Parliament and the laws of the land, and not revealing it; (2) in not apprehending the libeller, but promoting his escape; (3) in being airt and pairt guilty of the libel, as appeared by a copy of the libel interlined with his own hand. He was adjudged to pass an assize, but was pardoned through the mediation of the Earl of Traquair. Notwithstanding this act of royal clemency, he continued a confirmed Covenanter.

The Civil Rebellion was begun by the people of Scotland. The first steps towards realising "this grand Puritan revolt," as Carlyle has called it, were taken at Leith. Leith was the seaport to which the Dutch sent three shiploads of guns and ammunition for the use of the Scottish Army, and at which the Scotch mercenaries serving in the Thirty Years' War were landed to fight for their own country. Its links was the ground on which the troops of the Covenanters were marshalled, and its old fortifications were repaired in obedience to the orders issued by *The Tables* to put it in preparation for a siege. Charles, too, sent military stores, which he ordered to be conveyed to Edinburgh Castle, but the Magistrates of the city failed to carry out these instructions. The Covenanters also opposed the unshipment of the King's goods at Leith. But Traquair secretly by night brought them ashore, and conveyed them in carts to Dalkeith.

The Privy Council was there holding its meetings, when the Marquis of Hamilton arrived as the King's Commissioner to Scotland on 6th June 1638. Soon afterwards he set out for Edinburgh, two or three miles from which, on the road between Musselburgh and Leith, he met the whole of the Covenanting party then resident in the capital. But his efforts to bring about a good understanding between the King and his rebellious subjects were of no avail; and with these unsatisfactory results he returned to England.

In the beginning of the following year, Charles, having declared the Covenanters rebels, proclaimed war against them, and commenced to collect forces and make other warlike preparations. The Covenanters did not look idly on. They captured the chief strongholds in Scotland, erected defences on both sides of the Firth of Forth, and fortified Leith. Some vestiges of the works raised by the French still remained, yet Colonel Alexander Hamilton, engineer to the Covenanters, and master of their artillery, did not follow the old lines, but worked upon a new plan, which the level situation of Leith enabled him to adopt. The first basketfuls of earth were carried by the noblemen, the chief leaders of the Covenant. Their example was imitated by people of all ranks, especially the citizens of Edinburgh. Men, women, and children put their hands to the work, happy if at any labour and expense they could promote so pious a cause.

Accordingly, when the Marquis of Hamilton sailed into the Firth of Forth on the 1st of May 1639, the town he ought to have seized was secured against assault, and the capital was thus protected from an attack by sea. His fleet numbered twenty-eight sail, and had on board 5000 troops. He was provided with

money and ammunition for raising and arming levies, of which certain Scottish nobles favourable to the royal cause and some officers of fortune had been appointed to take the command. Yet with all these advantages he made no attempt to effect a landing. His ships rode at anchor between Inchkeith and Inchcolm, in the course usually taken by the ferry boats that plied between Leith and Burntisland. He put his troops by turns ashore on these islands, where they exploded great quantities of gunpowder, to make the affrighted people on the mainland believe they were being bombarded. On both coasts of the Firth a great show of resistance was made to an admiral who had no intention of prosecuting the enterprise with which he had been entrusted. This farce reached its climax when Hamilton's own mother came riding into Leith, at the head of armed troops, and, with two case pistols at her side, protested that she would kill her son with her own hands if he offered to make a hostile landing. "Some affirm," says Gordon of Rothiemay, "that she had balle of gold, instead of leade"—a convincing proof of the great affection she cherished towards her son, whom she intended, nevertheless, to slay on such grounds.

While Hamilton's fleet lay idle in the Firth, Charles had been obliged to conclude a peace with the Covenanters' army on the borders of Scotland. By the Treaty of Berwick, 24th June 1639, it was agreed that all differences, civil and ecclesiastical, should be settled at the next Parliament and at a new convocation of the Church. Such an agreement could not be lasting. The Assembly met at Edinburgh, and anew declared the abolition of Episcopacy, which had already been declared by the Assembly of Glasgow. Charles would neither

acknowledge its lawfulness nor confirm its decisions. The Scottish Parliament, on their part, demanded several new privileges as necessary to the freedom of debate. On receiving these demands, Charles beheld a scheme laid for undermining his authority, and prepared to renew the war. As his reasons for doing so, he sent to the Covenanted lords a paper containing eighteen heads of complaint against their manner of observing their stipulations at the Treaty of Berwick. These, so far as they relate to Leith, were :—

“ 1. English ships abused at Leith.

“ 2. Ammunition not all restored.

“ 5. Fortifications not so much as begun to be demolished.”

These grievances received from the Committee of Estates the following answers, which were sent to the King by an express messenger :—

“ 1. That the process led before the bailies of Leith, and the depositions of the parties and witnesses taken before Captain Fielding on the 22nd of July instant will clear this, and witness against them, that they have contradicted themselves, and so are not worthy to be believed.

“ 2. The cannon that were at Leith are delivered unto the Castle already; and all the rest shall be delivered with all possible diligence at farthest before Saturday next. As for the muskets, all that were taken are already delivered, and if the Lord Treasurer can prove that any of our society did receive any more, the same shall be restored, or the price thereof; and the fifty-four barrels of powder shall be paid; as for the ball, they were not made use of, but are lying still where they were.” (Sir James Balfour's *Historical Works*, vol. ii. pp. 334, 336, 337.)

To the fifth they answer, "That the town of Edinburgh pretend that, by charter and privilege granted by His Majesty's predecessors, they have a power and a right to fortify Leith, which must be discussed before it be taken away. Yet, to show their willingness to give the King content, the works shall be stopped in one or two parts; and if King and Parliament find that they must be cast down, it shall be done, but at the King's charges, not theirs." (Gordon's *Scots Affairs*, vol. iii. pp. 26-29, Spalding Club.)

The surrender of the strongholds and the restoration of the prisoners taken in the late war were articles stipulated for by the Covenanted party. General Ruthven was appointed governor of the Castle of Edinburgh. Its garrison, however, were much harassed in obtaining supplies and ammunition. Charles was obliged to notify the civic rulers that it was his purpose to make better provision for the castle by furnishing it with more men and ammunition, and that it would be a breach of the peace if any resistance were offered to their entrance into the castle. Accordingly, on the 25th of January, the Magistrates of Edinburgh received a letter from King Charles commanding them to give assistance to Captains Slingsby and Shipman, who were bringing by sea from London men and munitions for the castle. The reception of this letter perplexed the Magistrates and put the committee of the Covenanted lords upon the horns of a dilemma. They feared lest Ruthven, upon their refusal, would fire on the town, as he had formerly threatened to do. On the other hand, to allow these soldiers and stores to be placed in the castle would prove some day, they knew not how soon, to be an injury to themselves. In the end, however, they

acquiesced in the royal commands. On the 9th of February two ships entered Leith Roads, and on the following day the men and ammunition were lodged in the castle.

On hearing that the King, having collected an army, had placed himself at its head, the Estates of Scotland reassembled their forces, and gained a decisive victory at Newburn. This disaster made Charles enter into negotiations with his insurgent subjects. They required him to confirm the Acts of their Convention of Estates, recall his proclamations against them, place the fortresses of Scotland in the hands of such officers as the Convention should approve of, pay all the expenses of the war, and punish as incendiaries those of his counsellors who had advised the war. The King, circumstanced as he was, was obliged to accede to these terms. In consequence of these negotiations the Castle of Edinburgh was surrendered. On the 18th of September 1640 one hundred and thirty-seven men were conducted by a guard of three companies of musketeers from the castle gate to the pier of Leith, and thence shipped to Berwick. Ruthven, Lord Ettrick, the governor, ill with scurvy, went by coach.

Soon afterwards the English Commissioners presented their remonstrance to the Scottish Committee for the army, and stated that money was now come down for disbanding the garrisons of Berwick and Carlisle, slighting their works, and transporting their ammunition. They therefore entreated the Scottish Estates that the regiments of General Monro and Colonel Cochrane might be disbanded, and the fortifications of Leith demolished in terms of the same treaty.

The Scots had hitherto preserved a degree of union perhaps unexampled in their previous history, but that

union was to be now partially dissolved. Charles had recently won over the Marquis of Montrose from the cause of the Covenant; this defection was a serious blow to the Scots, for the Marquis had been their most trusted leader. On the 12th of August 1641 the King arrived in Scotland. There can be little doubt that the purpose of this royal visit was to attach to his interest others of the principal leaders. For this purpose he dispensed dignities and gifts in Scotland with an unsparing hand. He made General Lesley Earl of Leven; raised the Lords Loudoun and Lindsay to the same rank; created the Marquis of Hamilton a duke, the Earl of Argyle a marquis; and bestowed the revenues of the chapel royal on the moderator of the Assembly. On most of these persons, however, these royal benefits produced little effect.

In 1643 the English Parliament and the Scottish nation concluded a treaty called the Solemn League and Covenant, which differed from the National Covenant in being less Presbyterian in its tone. It was soon afterwards ordered to be sworn to by every Englishman. It was enthusiastically subscribed in Leith, as in other towns of Scotland. The register of South Leith contains the following entry:—

“October 19, 1643.—The said day it was mentionate in the session that there sould be a fast upon the next Lord’s day befor subseriveing of the covenant betwixt the three kingdoms, Scotland, England, and Ireland, and all to sweir to the said covenant. The tymes appoyntyty for subseriveing, viz.:—For the town of Leith, upon Tuesday, after sermon, the 24th; Thursday, after sermon, 26th; and upon Friday, after morning prayers, the 27 dayes of October 1643.—Restleridge, upon the Lord’s day afternoon, the 29th.

. . . October 22nd.—The said day being the Lord's day, there wais a solemne fast, befor subscribeing the covenant . . . both pastor and people stood up upon their feet, and then solemnilie, with liftit up hands, did sweir unto the said covenant, and the dyates prescribed for the subscribeing thereof, as afoirsaid, was intimat unto the people."

The Solemn League and Covenant gave rise to fresh dissensions in Scotland. Hitherto the National Covenant had separated Presbyterians from Malignants. But now English influence divided the Scottish people into three factions. The Wild Presbyterians, under the guidance of Argyle and Warriston, were averse to a war with England, or the restoration of the King—now a prisoner at the mercy of Cromwell—unless satisfaction in religion were previously obtained. The Moderate Presbyterians, under Hamilton, were actuated by a desire to rescue the King and the English Presbyterians from the tyranny of the Independents; while the Royalists, under Traquair and Callendar, a small party in Scotland, were eager to restore the King without restrictions.

On 26th December 1647 Charles entered into an agreement with the Scottish Commissioners in England. He agreed to establish Presbyterianism in England for three years; and the Commissioners engaged to restore him to the throne by force of arms. Hence the treaty was called the "Engagement," and its supporters were called the "Engagers." It was approved by Hamilton's party, but rejected by Argyle's. The Royalists and the Engagers, however, commanded a majority among the Estates, who ordered an army to be raised in the King's behalf, Leith to be fortified, recruits to be drilled on its links, and Edinburgh

Castle to be supplied with victuals, guns, and other military stores. But premature risings of Royalists in England had the effect of precipitating Hamilton's march into England, and at Preston he was defeated and taken prisoner.

During the absence of Hamilton, Argyle and Lothian drew to arms in the Highlands, and Cassillis and Eglington in the western counties. Their tumultuary forces, each parish headed by its minister, repaired to Edinburgh, from which they expelled the Committee of Estates.¹

Sir George Monro's division,—consisting of troops brought over from Ireland,—which took no part in the fight at Preston, but remained entire at Kirby-Lonsdale, having been recalled to Scotland by the Committee of Estates, and reinforced with new levies by the Earl of Lanark, the appearance of an army was preserved. To oppose their approach to the capital, Lesley and the officers who had declined the Engagement modelled the western peasantry into regular troops.

These armies held positions similar to those soon afterwards to be occupied by Cromwell and Lesley. Having reached Cockburnspath, and received orders to proceed with his men to Haddington, Sir George Monro there met the Earls of Craufurd, Glencairn, and Lanark with their new levies. All their forces, amounting to 3000 horse and 2000 foot, were next day

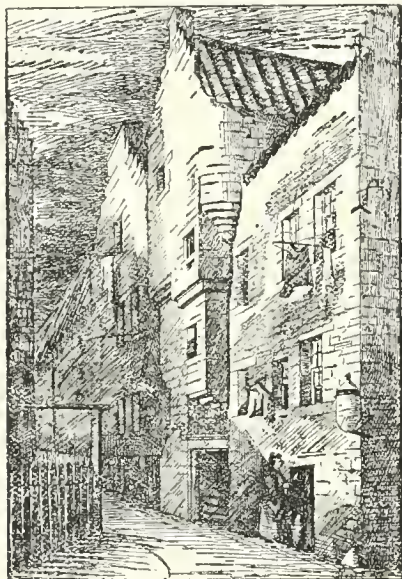
¹ This insurrection was called the *Whiggamore Raid*. The term Whiggamore is thus explained by Bishop Burnet:—"The south-west counties of Scotland have seldom corn enough to serve them throughout the year, and the northern parts producing more than they need, those in the west come in the summer to buy at Leith the stores that come from the north; and from a word 'whiggam,' used in driving their horses, all that drove were called 'whiggamors,' and shorter, the 'whiggs.'"

drawn up at Gladsmuir. Thence they advanced to Musselburgh, near which a section of the Western army had come from Edinburgh to view the fields; but these, when they saw the forces from Gladsmuir advancing towards them, retired. The following morning the earls decided that their forces should march past the south side of Edinburgh, shunning the narrow and dangerous way by Leith, which was then beset by Lesley's army.

All this while neither of the contending parties would have refused fair terms. The Lords of Lee and Humby had been posting night and day betwixt them. The Commission of the General Assembly, affecting to arbitrate between them, fixed the parish church of South Leith as the place of conference; but always seeking the aggrandisement of the Church, they dictated to the opposite party terms which they could not accept. The papers of "the noblemen and officers in arms at Haddington," with the reply which they received from the Commission after conference with "the noblemen and gentlemen in command of the forces which had come from the West and were now at Leith," are given in Appendix 8.

Negotiations were, however, resumed upon the invitation of Cromwell to Scotland. Lanark, intimidated by the danger of his brother, the Duke of Hamilton, afterwards executed in March 1648, was persuaded to disband his forces and to surrender the government to Argyle. Monro was permitted with difficulty to return with his forces to Ireland, where, however, his garrisons had capitulated to Monk. From the siege of Berwick Cromwell was conducted in triumph to Edinburgh, where he and his troops were received with joy as the deliverers of the Church. The Solemn League and

Covenant was renewed with Cromwell, and the Engagement was proscribed. The Engagers were excluded from all share in public affairs until they were reconciled and restored to the Church; but some of them retired to the Continent.



THE ABOVE IS A SKETCH OF AN OLD HOUSE AT THE CORNER OF WATER LANE (SEE VOL. I. P. 294 OF THIS WORK). IT IS A VERY PICTURESQUE SPECIMEN OF SEVENTEENTH-CENTURY SCOTTISH ARCHITECTURE.

CHAPTER X

THE CROMWELLIAN INVASION AND OCCUPATION

CHARLES II. was proclaimed king at Edinburgh six days after the execution of his father. Negotiations were immediately opened with him by the Committee of Estates, and in April 1649 a Commission sailed from Leith for Breda, with copies of the Covenant for Charles to subscribe. The Commissioners met, however, with a cold reception at the Hague; Charles was not disposed at that time to become a Presbyterian. About the beginning of 1650 he sent the Marquis of Montrose over to Scotland to attempt a rising in his favour, independently of the Covenanters. The Marquis, however, was defeated at Corbiesdale, in Ross-shire, and, afterwards falling into the hands of General Lesley, was brought to Leith, conducted to Edinburgh, and there executed, 21st May 1650. Before the death of Montrose was known in Holland, a frigate had sailed thence, laden with provisions for his army; but it was captured off the coast of Ross-shire and brought to Leith, together with a number of his papers, his broad seal, and his Order of the Garter, which had been found near the battlefield.

The failure of Montrose's expedition induced Charles to close with the offers of the Scottish Commissioners, with whom, after he had signed the Treaty of Breda,

which guaranteed his accession to the throne, he embarked for Scotland, where he landed on 23rd June. The reception of Charles II. as rightful heir to the Crown was tantamount to a declaration of war against the Commonwealth, and the English Parliament instructed Cromwell to march into Scotland.

Preparations for the approaching campaign having been begun on both sides of the Tweed, the fortifications of Leith and the Castle of Edinburgh were ordered to be repaired (*see Appendix 9*). Meanwhile Charles II. had been visiting the towns of St. Andrews, Cupar, Falkland, Perth, Dunfermline, Stirling, and Leith. At Leith he received a joyful welcome from the whole of the Scottish Army, which lay from north to south between Edinburgh and its seaport. What happened during his short stay in the neighbourhood is thus narrated by John Nicoll, under date 29th July 1650:—

“The Scottish army haiffing eftir few dayis convenient heir upone the Links of Leith, to the number of 40,000 men, above the half of thame were sent bak, eftir a long space appoyntit for purging of the army. . . . Being thus in purging dailie upone the Links of Leith, it pleased the Kingis Majesty to cum down from Sterling, upone Monedaye, the 29th July 1650, whair he saluted the army, being all ranket thair in a pleasant posture, to the great joy of the King and contentment of the pepill. . . . Thaireftir, upone Fridaye, the King came from the Leaguer, lying at Leith, to the town of Edinburgh, ryding with his nobles and leaffgaird up throw the Canogat to the Castell of Edinburgh, whair he was saluted with a great number of cannoun schot; thairfra he came down on fute throw Edinburgh, whair he was feasted by the toun in the

Parliament Hous; and thaireftir went down to Leith, to ane ludging, belonging to the Lord Balmerinloch, appointit for his resait during his abyding at Leith." Shortly thereafter the English horse under Lambert having advanced to Restalrig, a skirmish took place, probably the one alluded to in Oliver's letter when he says: "They could not abyde us." Nicoll continues: "At the former skirmishe at Restalrig, General Major Lambert recevit three deadlie woundes in his body as was reportit, but the report wes fals." "3rd August 1650.—General Cromwell sent to the Scottish Leagner, in his awin coach and kairtes, out of Musselburgh, sixty persones of oure army, all of them woundit, whom he had taken prisoners at that encounter."

A letter written by Cromwell, directed "To the Right Honourable the Lord President of the Council of State," and dated "Musselburgh, 30th July 1650," contains this reference to Leith: "The Enemy's Army lying between Edinburgh and Leith, about four miles from us, entrenched by a line flanked from Edinburgh to Leith, the guns also from Leith scouring most part of the Line, so that they lay very strong." (Carlyle, *Oliver Cromwell's Letters and Speeches*, vol. iii. p. 12.)

"Cautious David Lesley lies within his Line 'flanked' from Leith Shore to the Calton Hill, . . . with all Edinburgh safe behind him, and indeed all Scotland safe behind him for supplies;" and while "Oliver's provision, some small pittance from our ships," is failing, Lesley gives forth the command "that the guid women suld awe come away, and not brewe or bake oney of them for the English."

Burton, speaking of Lesley's entrenchments, says: "Lesley used the wonderful material for a fortified camp supplied by the heights near Edinburgh. It was

desirable to keep both Edinburgh and Leith united within the fortified line, that Cromwell might not have access to the sea by seizing the port of Leith. This line of defence, beginning at the Firth to the eastward of Leith, kept the successive heights of Hermitage Hill, Hawkhill, Restalrig, the Calton Hill, Salisbury Crags, and St. Leonards, until it came under the protection of the guns of the castle." But gradually Lesley is drawn from his position. On 2nd September (12th, new style) Cromwell attacks his flank at Dunbar, and "the Scottish Army is shivered into utter ruin."

Cromwell, after the victory of Dunbar, advanced towards Edinburgh, while Lambert, his major-general, proceeded to Leith. Both places were entered without resistance. On the 14th September Cromwell issued a proclamation (*see Appx. 10*) with a view to gain the confidence of the inhabitants. It has been stated that Cromwell was kept fully informed of the enemy's plans by persons friendly to himself in the Scottish camp.

Nicoll says that "sum of the intelligencers were taken and committit to prison, and becaus no probatioun could be had against thame, they were liberate upone cautione; but ane of thame, being conscious of his awin guiltiness, strangled himself in the Tolbuth, being wardit thairin; he was exposit to all the pepill at the Trone and Mercat Croce of the Canogait, and thairfra transportit and hung up on the gallows betwix Leith and Edinburg, whair he yet hangs, to the terrour of otheris." By a proclamation dated 19th December, Cromwell permitted all who had placed their goods for safety in the castle to withdraw them without let or hindrance. (*See Appx. 11.*) Nicoll notes the discipline which was maintained in Cromwell's army thus: "Some of his awin sodgers were scourged by Provest

Marchell's men from the Stone Chop to the Neddir Bow and back again, for plundering of houses within the town. . . . Ane uther sodger was made to ryde the meir at the Croce of Edinburgh, with ane pynt stoup about his neck, his hands bund behind his back, and muskets hung at his feet, the full space of twa houris, for being drunk." In the administration of justice he further states that "Dyvers Scottish suitters maid thair addres to the cummittee of English officers at Leith, where thay had quick despatch in poynt of justice; whairas sum suites had hung befor sum 16 yearis, without oney period put to it in old judicatories, whairby sum of these suitteris declared that they fand mair love and kyndnes toward thame by thair supposed eneymies than of thair awin countrymen and friends. . . . Yet thair was courtis heldin in Leith by the English commanders, whairin justice was ministrat summarlie to all persones complanent, without partialitie or favour, thair carriages and wayis in that behald condemning owris heir in Scotland, as was allegit by many, who, haiffing actiounes and complaintes gevin in befor thame, returnit fra thame with great contentment." Adding, "The ferrymen at Leith and Burntisland being extraordinaire in thair pryces, and being complaynit upon to the Deputy-Governour at Leith, it was thaireftir ordoured that horse and man should thaireftir pay onlie an shilling sterng., and ane single person ane groat, whairas it was tripled of befor."

Early in 1651 General Lambert assessed Edinburgh and district in £200 sterling, amounting in Scots money to £2400,—Edinburgh, £1732; South Leith, £334; North Leith, £100, 4s.; Canongate, £217, 2s.; our Lady of St. Placentia (Pleasance), £16, 4s,—

which may give a general idea of the proportionate resources of the different districts in that age. These sums are thus reduced by Maitland: for each £100 sterling—Edinburgh, £72, 3s. 4d.; South Leith, £13, 18s. 4d.; North Leith, £4, 3s. 6d.; Canongate, £9, 0s. 11d.; the Pleasance, 13s. 11d.

The last letter which Cromwell wrote from Scotland is dated “Leith, 4th August 1651.” It is addressed to Speaker Lenthall, and informs him of the movements of the Scottish Army under Lesley, who was then about to invade England. Cromwell immediately thereafter set out in pursuit of Lesley, and defeated him in the disastrous battle of Worcester.

It has been doubted whether Cromwell ever was in Leith, but the letter dated from Leith above referred to shows that he was in the town at least once. It is almost certain, too, that during the time he had his headquarters in Edinburgh—from September 1650 to August 1651—he would make repeated visits to the seaport, where part of his army was in winter quarters.

Lieutenant-General Monk was left in charge in Scotland, and while he made Dalkeith his own headquarters a large garrison was permanently maintained at Leith, where also seems to have been the headquarters of the Cromwellian executive in Scotland.

Dundee had apparently been looked upon as out of the reach of the arms of the Commonwealth, and the people of Edinburgh and Leith had therefore sent their valuables there for safe keeping. The following is from *Mercurius Scoticus*, under date Sept. 3, 1651:—“Many of the people in and about Edinburgh and Leith now made it their whole work to obtain leave to go fetch home their goods from Dundee, which not being granted they are importunate for leave to go see

the place, which was the receptacle, and indeed their supposed sanctuary, but what can stand in opposition against the Lord, where he goes on with a people conquering and to conquer. . . . It was this day generally confirmed that the place was taken by storm Munday last, and 800 slain, many prisoners taken, besides what escaped."

Mercurius Scoticus tells us also of an act of grace of the military authorities :—"This day [30th September 1651] Capt. Hughes, Capt. Knowles, Capt. Newman, Capt. Miller, Capt. Langley, and the rest of the Captains of Leith Garrison, appointed as a Committee for determining differences, and releasing Prisoners, whose wants, wounds, or sickness required present redress, upon Engagements, met at Edinburgh; where after full examination of wounded and sick prisoners in the Tolbooth, taken in severall Fights, they thought fit, upon due consideration of their miserable conditions, to enlarge these who are mentioned in the List following. Surely these wondrous Acts of Christian Love and Mercy must needs win upon a People, were they far more stupid than these are reported to be." (!)

About this time marriages between the English soldiers and Scottish women had become so frequent as to alarm the authorities, probably because the ties thus formed by the former might undermine their loyalty or discipline. It was ordered (October 1651), "that no Souldier of the Regiment of Col. Geo. Fenwick, Governour of Edinburgh, Leith, and Barwick, shall presume to be married to any Woman of or in Scotland, without consent of the Governour, Deputy-Governour, or Major of the same Regiment, in that case first had and obtained in writing, upon pain of being casheered

the Regiment ; and the Minister that shall marry them, to answer it at a Court Martiall" (*Mercurius Scoticus*).

Ties of another kind—without the assistance of the minister—had also become so frequent that a proclamation was issued forbidding any inhabitant of the garrison at Leith to keep Scottish or English women or maidservants longer than the 2nd of February next, on pain of paying twenty shillings per diem "for every day after that they shall keep them."

The tradesmen of Leith and the surrounding districts seem to have turned the great augmentation of the population (due to the presence of the English garrison) to their own advantage by raising their prices. But the military authorities "had a way with them" at once summary and effectual. The following proclamations were issued :—

1 Dec. 1651.—"Whereas the price of Hay is ordered by the Major-Generals to be reduced to 2s. 6d. the hundred, It is ordered, that at all times from henceforth, during the continuance of hay at that price, no Stabler, Inn holder, or Change keeper in this Garrison, shall presume to demand or receive any more than eight pence of any person whatsoever, for a Horse Hay and Stable room, day and night."

17 Dec. 1651.—"That from henceforth no Forreign Baker, not inhabiting in Leith, shall from and after the 19th instant presume to bring into and vend any manner of bread whatsoever within this Garrison, which shall not upon the due search and triall of two or more honest men of this Garrison appointed for that purpose be found sound, sufficient, wholesome, and due weight, according to the price of corn and Book of rates, upon pain of having their bread seized on for the use of the poor of this Garrison.

“And further, that all Bakers of this Town or elsewhere set their own marks upon their respective loaves, and that they sell their bread in the usuall Market place at the Bridge end, on their several market-dayes, which shal be on Fridayes and Tuesdayes, and not to run from house to house, And that no loaf be made but half-penny and two penny, and no higher, according to Assize.

“And further, it is ordered that the Bakers of this Town have the like liberty to vend and sell bread in Edinburgh or other places adjacent, on their Market-dayes, as they have here at Leith.”

24 Feby. 1652.—“Whereas the Butchers of this Garrison doe frequently forestal the Markets by buying up and ingrossing all the meate brought in by the Country, I doe hereby order and Declare that if any Butcher of this Garrison shall presume to buy any dead victuall of any person whatsoever at any time hereafter, and not such as such butcher kills himself, he shall forfeit the price of all such meat, the one moyety to the use of the Garrison, and the other to the party discovering such offenders.”

During the Cromwellian occupation a degree of prosperity and tranquillity prevailed throughout the kingdom which had been long unknown, and an impartial administration of justice, as Nicoll observes, was exercised, equally unknown before, and for long afterwards. Cromwell erected three citadels,—at Leith, Ayr, and Inverness,—besides smaller fortresses. Castles in the Highlands were garrisoned, and “a man might ride over all Scotland with a switch in his hand and a hundred pounds in his pocket, which he could not have done these five hundred years.”

It may be mentioned here that so enamoured of

republican rule had the dignitaries of Edinburgh become, that they had intended to erect a colossal statue of Cromwell, on the site afterwards occupied by the equestrian statue of Charles II. For this purpose a rough-hewn block of stone was unshipped at Leith, but immediately afterwards the news of Oliver's death reached Edinburgh. The cautious Edinburghers now waited to see "which way the cat jumped"; and the cat having jumped the other way, the embryo statue was judiciously forgotten.

Dr. Wilson tells us that the rough-hewn block "lay neglected on the sands of Leith till, in November 1788, Mr. Walter Ross, the well-known antiquary, had it removed with no little difficulty to the ground where Ann Street now stands, nearly opposite St. Bernard's Well. The block was about eight feet high, intended apparently for the upper half of the figure. The workmen of the quarry had prepared it for the chisel of the statuary, by giving it with the hammer the shape of a monstrous mummy; and there stood the Protector, like a giant in his shroud, frowning upon the city, until, after the death of Mr. Ross, his curious collection of antiquities was scattered, and the ground fencd for building." The stone was afterwards broken up.



SCULPTURED STONE IN THE BALMERINO MANSION. THE MONOGRAM IS THAT OF JOHN STEWART, EARL OF CARRICK, WHO BUILT THE HOUSE, IN 1631.

CHAPTER XI

THE CITADEL

ROBERTSON, in his Map of the Fortifications of Leith, places the Church of St. Nicholas in the angle of the seventh bastion. It is a cruciform edifice, measuring 150 feet in length by 80 feet in breadth, and lying about a hundred feet from the Short Sand. Its dedication to St. Nicholas, who was archbishop of Myra in the fourth century, and was soon afterwards adopted as the patron saint of seamen and of commerce, proves that Leith was a flourishing seaport at a very early period. When or by whom the church was founded is not known; but it must have been erected at a later date than St. Ninian's; for Abbot Bellenden built the latter because the people of the neighbourhood had no accessible place of worship. (See his Charter, *Appendix No. 25*, vol. i. p. 577.) Adjoining the church was the Hospital of St. Nicholas, and both suffered great damage in 1544, when Leith was burnt by the English at the Reformation. The Chapel and Hospital of St. Nicholas were allowed to fall into ruin "as relics of idolatry"; and all records relating to them were destroyed. For forty years Leith stood in need of a parish church that could accommodate its inhabitants; and North Leith had no pastor in place of the old chaplain of St. Ninian's till 1599, when Mr. James Muirhead was appointed. All traces of the Church and Hospital of St. Nicholas dis-

appeared, however, when General Monk made choice of the ground whereon they stood as the site for his fortifications. On the formation of the Citadel it was necessary also that the burying-ground of St. Nicholas should be removed. He gave intimation to the in-



STONE IN NORTH LEITH BURYING-GROUND, PROBABLY REMOVED THERE, WITH MANY OTHERS, FROM ST. NICHOLAS BURYING-GROUND, WHEN IT WAS DIS-PLACED BY THE CITADEL, IN 1656.

habitants that such as wished might transfer the remains of their deceased friends to the new cemetery near the river-side, now called the North Leith Burying-ground; and this was the first occasion of its being used for that purpose.

In 1653 Cromwell gave orders for the erection of the Citadel. Impressed with the importance of a stronghold that should overawe the capital, Monk spared no labour or expense in its construction. The accounts submitted to the Council of State afford some idea of its probable cost. These, with other papers relating to the Citadel, are given in Appendix 12. That it was a fortress of no ordinary size and strength may be gathered from John Ray's description of it in his *Itineraries*.

"At Leith," he says, "we saw one of those Citadels built by the Protector, one of the best fortifications that ever we beheld, passing fair and sumptuous. There are three forts advanced above the rest, and two platforms; the works round about are faced with freestone towards the ditch, and are almost as high as the highest buildings within, and withal thick and substantial. Below are very pleasant, convenient, and well-built houses for the governor, officers, and soldiers, and for magazines and stores. There is also a good capacious chapel, the piazza, or void space within, as large as Trinity College, Cambridge, great court. This is one of the four forts; the other three are St. Johnston's, Inverness, and Ayr, the building of each of which, as we are credibly informed, cost above £100,000 sterling. Indeed I could not see how it could cost less; in England it would have cost much more."

The Citadel stood on the open beach adjacent to North Leith Sands, which existed till the formation of the old docks. "Many still living," wrote Wilson in 1847, "can remember when the spray of the sea billows was dashed by the east wind against the last relic of the Citadel—its archway. It is only sixty years since a ship was wrecked upon the adjoining

beach, and went to pieces, while the bowsprit kept beating against the walls of the Citadel at every surge of the rolling waves. Now a wide space intervenes between the old site of the Citadel and the docks; and the Mariners' Church, as well as a long range of substantial houses in Commercial Street, have been erected on the recovered land."

The Citadel was planned so as to fit into the angle of the old fortifications. It was of a pentagonal form with five bastions, containing a spacious courtyard, chapel, and barracks, and measuring at least 400 feet one way by 250 feet the other.

The registers of the chapel have unfortunately disappeared. As early as 23rd December 1658 mention is made of "the English congregation in Leith"; and the South Leith Register, under date of 8th November 1660, calls the chapel in which the English settlers worshipped "the Citydail Church."

While the building of the Citadel was going forward, Monk invited several English families of wealth and position to settle in Leith. Receiving fresh energy from its new colonists, and notwithstanding the grinding imposts levied by Edinburgh, Leith soon came to be regarded, what it appeared in the eye of Cromwell's Commissioner, the natural centre of trade and civilisation, and the hope of Scotland's future. The place was far more suitable for Cromwell's school of fortifications than the castle rock of Edinburgh. The Commissioner's comment on the two places has some interest as a touch of the utilitarian spirit of the age: "The town of Leith is of itself a pretty small town, and fortified about; having a convenient dry harbour into which the Firth ebbs and flows every tide, and a convenient quay on the one side thereof, of a good length for landing of

goods. This place formerly, and so at this time, is indeed a storehouse, not only for her own traders, but also for the merchants of the city of Edinburgh, this being the port thereof. And did not that city, jealous of her own safety, obstruct and impede the growing of this place, it would, from her slave, in a few years become her rival. For as certainly the Castle of Edinburgh did first give the rise and growth to that city, by inviting people in the time of their intestine troubles to plant and settle there, for settling themselves under the strength and security thereof." (Burton, *Hist. of Scot.* vol. vii. p. 57.)

Hutchison, in his *Traditions of Leith*, states that glass-making was carried on in the Citadel by English workmen, and gives the following curious advertisement from the *Kingdom Intelligencer* of date 24th December 1663:—

“*A Remarkable Advertisement to the Country and Strangers.*—That there is a glass-house erected in the Citadel of Leith, where all sorts and quantities are made and sould at the prices following; to wit, the wine glass at three shillings two boddels, the beer glass at two shillings six pence, the quart bottel at eighteen shillings, the pynt bottel at nine shillings, the chopin bottel four shillings six pence, the muskin bottel two shillings six pence, all Scots money, and so forth of all sorts, conform to the proportion of the glasses: better stuff and stronger than is imported.”

Beer, at least under that name, was previously unknown in Scotland, the word in use being “ale.” This advertisement shows that drinking-glasses and bottles were made in 1663. The earlier glass-makers

seemed to have manufactured only "broad" or window glass. Amongst the names of foreign glass-makers at Newcastle occur David, Abraham, and Isaac Lisko. In 1682 David Lisk was married at South Leith to Beatrix Craft. Other foreign names are also met with: Dalyville (1647), Sautier (1660), Rogere, "one of the English congregation," 1658 (and it may be noted that a family of Rogers were glass-makers at Stourbridge, and intermarried with the Tysacks), Casse (1659), Everet (1659). The glass-works in Leith flourished for many years. In 1783 there were six glass-houses.

The English settlers gave their time to literary as well as commercial pursuits. The first newspaper printed in Scotland was the *Mercurius Scoticus, or a True Character of Affaires in England, Ireland, and Scotland, and other Foreign Parts, collected for public satisfaction*. The first number was issued on 5th August 1651, and is supposed to have been printed in Leith. The second—*A Diurnal of Passages and Affairs, a Reprint at Leith of a Paper published at London*—was commenced in November 1652. In the following year there was issued *The Mercurius Politicus, comprising the sum of Intelligence, with the Affairs and Designs now on foot in the Three Kingdoms, England, Ireland, and Scotland, in Defence of the Commonwealth and for Information of the People*. "*Ita vertere seria*."—*Hor. de Arte Poet. Printed at London and reprinted at Leith*.

At the Citadel was printed a curious book, entitled "*The Survey of Policy, or a free Vindication of the Commonwealth of England against Salmasius and other Royalists*. By Peter English, a Friend to Freedom. Leith, 1653."

Besides being a friend to freedom, Peter English

appears to have been a lawyer, a very subservient person, and to have had good hopes of preferment from the chief men in power, to whom he dedicates his book. Cromwell he addresses thus: "While I was thinking to whom I might dedicate this book, I judged non more fit than him to whose patronage I might commit it who hath most promoted the liberty lately obtained, under the power and protection of the God of Israel. And thus among many I made choice of your lordship." The book is accordingly dedicated, first, "To the very Honble. and truly godly the Lord General Cromwell," and next, "To the very Honble. Major-General Lambert, and the rest of the Honble. Commissioners for ordering and managing affairs in Scotland: as also to the Right Honble. Colonel R. Lilburne, Commander-in-Chief of the English forces in Scotland." It is an attempt to prove the authority and non-usurpation of the Commonwealth of England. (*Life of Oliver Cromwell*, by Bishop Russell.)

After the Restoration the Citadel was ordered to be destroyed, and a partial demolition and sale of its materials began. Thus it is stated in the records of Heriot's Hospital, that the Town Council, on 7th April 1673, "unanimously understood that the Kirk of the Citadell of Leith, and all that is therein, both timber, seats, steeple, stone and glass work, be made use of and used to the best avail for reparation of the Hospital Chapel, and ordains the treasurer of the Hospital to see the samyn done with all conveniency. In 1674 a stone tower, surmounted in the Scoto-Dutch taste by a conical spire of wood and metal, was erected at the west end; and in 1681 a clock was added thereto.

Charles II. granted the territory of the Citadel to the Earl of Lauderdale, who sold it to Edinburgh for

£6000. Thus the Citadel cost Edinburgh, including the £5000 granted to Monk, the sum of £11,000 sterling.

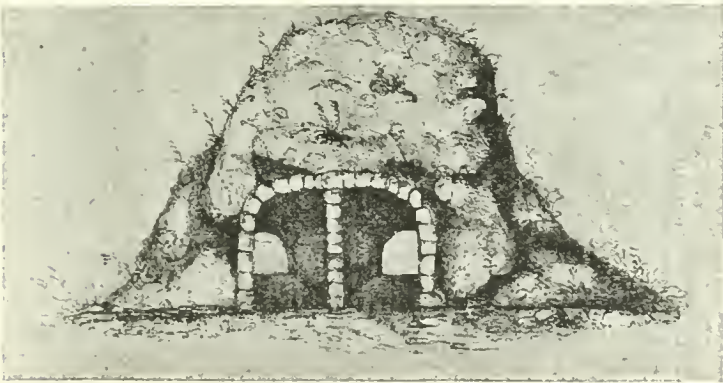
Campbell, writing in 1827, thus describes what then remained of the Citadel :—

“A very entire portion of the old wall, of about twenty yards in length, extends eastward from the gate. On this fragment of the rampart, Mr. Gray, wright, has his workshops, and a small timber yard. Starting from the arched way spoken of, and which, at the time the Citadel was constructed, would be close upon the sea, the wall ran for a short way in an easterly direction ; then turning, it proceeded due south, passing behind Mr. Harper's chapel (now North Leith U.P. Church), and nearly parallel with Coburg Street, until it reached Cromwell Street. From this point it took a westerly course, running in a line with Couper Street, and extending to within a short distance of the west end of that street, where it turned down to the sea, thus enclosing a space of from three to four English acres. Within a few yards of the east end of a row of small brick houses, lately erected, fronting the dock wall, and not far from its western extremity, another fragment (known as Oliver's Mount) of the rampart may still be seen. This portion of the wall has, at a little distance, the appearance of a shapeless isolated mass of earth ; but, when closely examined, we discover that it is the remains of another arched passage, which led into the Citadel through the ramparts. Being, however, but of small dimensions, it must have been a private entrance into the fort. This passage was for some time occupied as a byre, into which it was converted by building up one end of the arch, which may readily be traced by examining the west side of the mass. The wall of the Citadel, judging from the very

entire specimen on which Mr. Gray's workshops are erected, seems to have been of great strength, being formed of earth, strongly faced with large unhewn stones. On the west side of the Citadel there stands a row of low tyle-roofed houses, running south and north, which are said to have been the barracks of Cromwell's soldiers. These houses are still in good repair, and are yet all occupied as dwelling-houses. They originally extended farther north than they now do; but, on the formation of Dock Street, a portion of them interfering with the line of that street was taken down.

"On the east side of these houses, and in their immediate neighbourhood, there are several other small irregular buildings, which, from their antique construction and some other peculiarities, leave us little room to doubt that they also had been occupied by the preaching soldiery of old Noll. One large house in particular, with a small plot of ground in front, enclosed with iron railing, is said to have been the residence of Monk."

The main entrance to the Citadel, a strong archway thirty feet deep, is still in existence.



OLIVER'S MOUNT.

CHAPTER XII

FROM THE RESTORATION TO 1699

MONK left Scotland on the 1st of January 1660, on his way to London, to place Charles II. on the throne of England, and in May the King was proclaimed at Westminster, amid universal rejoicing. Equal enthusiasm was manifested by most parties in Scotland, and among the foremost to welcome the "Happy Restoration" were the Magistrates and Town Council of Edinburgh, whose "rough-hewn" statue of Cromwell lay on Leith sands, yet fresh from the quarry. "On 19th June commenced a period of thanksgiving through all the parishes of Lothian, for the restoration of the King. The Magistrates and Town Council of Edinburgh went to church in solemn procession. . . . After service they went with a great number of citizens to the Cross, where a long board, covered with sweetmeats and wine, had been placed. . . . Here the healths of the King and the Duke of York were drunk with the utmost enthusiasm, three hundred dozens of glasses being cast away and broken on the occasion. At the same time, bells rang, drums beat, trumpets sounded, and the multitude and people cheered. The spouts of the Cross ran with claret for the general benefit. At night there were bonfires throughout the streets, and fireworks in the Castle and the Citadel of Leith, till after midnight." (*Dom. An. of Scot.*, vol. ii. p. 261.)

The following is interesting, as showing that Englishmen held property in Leith :—

“ 1661.—The Estates of parliament pntly conveyened by his Maties speciall authoritie haveing heard a petition pnted vnto them by Richard Symons Baxter in Leith as factor for Edward Whalley, Citizen of London Holding furth That Johne Robieson Englishman then being debtor to the said Edward in the sums of ffoursecore pounds Seven shilling sterling money Conforme to his bond Which being regrat at Leith and ane aet of wairding given out against him Wherevpon he reteired into the Citadell at Leith.” . . . (Thomson's *Acts of Parliament*.)

Charles's long and desultory wars with the Dutch placed Leith in a critical position more than once, and it was only natural that English naval victories should give the inhabitants cause for thankfulness and joy. The following refers to the battle of Lowestoft, fought on 3rd June 1665.

“ June 11th being Sunday, the news of the great naval victory over the Dutch reached Edinburgh, in three days from London during the time of serviee. No sooner were these good news divulged, but they were saluted from the Leith Road and from the Castle, as also with all taikens of joy upon the morrow thereafter, by setting out of bonfires in the town and places adjaeent, and by ringing of bells, shooting of canons frae sea, the town of Edinburgh marching with their displayed colours frae the Abbey, the Commissioner's lodging, to the Castle yett, all of them daneing and louping for joy through the streets and bonfires as they went, drinking his majesty's health at the bonfires.” (*Dom. An. of Scot.*, vol. ii. p. 303.)

A curious entry is recorded in the Diet Book of the Court at Leith :—"30th April 1666. —No court this day, in respect of the alarme occasioned by the Dutch Men of warre who cam to ane anchor at ye Inch upone Monday 29 inst., towarde ye evening, and having played with their cannon upone Brunteiland at this day, cam to ane anchor againe in the nicht tyme; having loosed were not to be seen next day." (Leith Council Records.) In these records we find various entries of "No court this day, in respect that the Bailie cam not down"; and another, bearing that there was no court in consequence of the death of the father of the town clerk. Pitcairn gives cases of the higher courts having been held in Leith previous to, but chiefly in, the reign of James VI.; and in an old record we find: "*Curia Ville de Leith, tenta in pretorio ejusdem coram Carolo Hamilton et Jacobo Mansfield, baileijs ejusdem, quinto die mensis, Junii 1637.*"

In 1667 the English fleet of Sir Jeremiah Smythe, a brave admiral, who afterwards defeated the Dutch, came to anchor in the roads, and saluted the Scottish flag. The guns of the Castle, Leith, and Burntisland responded. The admiral was in search of the Dutch fleet under Van Ghendt, which had been in the Firth a few days before, menacing Edinburgh and Leith.

In the same year the sands was the scene of a desperate duel with swords, between William Douglas, younger of Whittingham, and Sir John Home of Eccles, attended by the Master of Ramsay and Douglas of Spott. The affair had its origin in a tavern brawl. The four engaged together; Sir John was slain by William Douglas, who was sentenced to "have his head stricken off his body" three days afterwards at the Cross of Edinburgh.

Church difficulties and disputes seem to have been as common in those days as in our own, and Leith was no exception. The following instances may be given :—

“1665, 22 Junii.—Mr Johne Hamilton, minister, reportit that he had petitioned as to the bell in the Tolbuith steeple, that cannot be heard be halif the tounie for warning of the people to the kirk . . . which petition being read, it pleasit the counsell to give and grant to oure said parioch of Leith the bell of the weigh-hous of Edinburgh, with libertie to the said So. [South] parochine to dispose vpone the old bell for the use of the poor.”

In regard to church seats we find this: “1669, 14th August.—James Proven, present beddell, complains vpone Alex. Haye and his wyfe in yt yey did tak out and putt in women’s chairs and stoolis in the body of the kirk, and receives benefit for the samen, which ocht not to be done be thame, but is only James’s pairt, as beddell and seruand to the sessioun; tharefoir the sessioun dischairgit the said Alexander to meddle with any stool or chair within the body of the kirk, either to tak in or sett out, in al tyme cumming, and ordanit the said James to have a care of honest women’s chairs and stoolis in ordering thame ariecht, and to receive sum consideration yearlie fra thame that oucht the said chairs and stoolis.” “1674, 13th August.—A complaint having been made by Gilbert Storie agust Andro Broun, who damnified him be takin down ane old hous adjoining his awin, the sessioun visitit it, and dischairgit any mair stones to be carryit away; and the said Andro was orderit to prisone for his unreverend conduct to the sessionne.” In the same month and year, “the sessionne ordainis the clerk to write and to goe to Sir William Purves and to the

laird of Craigintinnie, and in the sessionnes name to desyre thair concurrence in the Landward and the Craigend towardis the contribution for re-edifying of the steeple"; a quotation which may satisfy some of our antiquaries as to the patched style of old St. Mary's, for, in consequence, a small steeple was built to the church. "12th March 1675, the elders of Craigend" having asked for greater accommodation in the church, are granted "libertie to plaice the said pew against the wall at the No. [North] side, over against my Lord Balmerinoch's seat."

We may also give this, although of a later date :—
 "14th Oct. 1701.—Appoints Jasper Johnstone of Waristone, and the thesaurer, to speak to the Master of Balmerino, to desire him to order ye glasse windows of his isle in the church to be mended." "21st Oct. 1701.—Appoints Alex. Mathieson and James Jerry to speak to the Magistrates, to desyre them to discharge working on ye Coal Hill or on ye Shore on ye Fast Daye."

Leith did not escape scathless during the religious persecutions in the latter half of the seventeenth century. Robertson says :—

"During the persecutions under Lauderdale and His Grace the Duke of York, we find Mr John Greig, who had formerly been minister at Skirling in Peebleshire, apprehended and imprisoned in the Tolbooth, for preaching or "holding a conventicle" in the house of his brother-in-law, Thomas Stark, at Leith Mills; his brother and several others were also imprisoned. An Act of the Privy Council, 9th March 1675, follows: "The Lords of His Majesty's Privy Council do hereby grant warrant to the Earl of Errol, or, in his absence, to the next commanding officer of the troops under his command, upon sight hereof, to receive from the Magis-

trates of Edinburgh the person of Mr. John Greig, prisoner in the Tolbooth, upon the account of the conventicle kept by him at Leith Mills, and to transport him to the Bass, and to deliver him to the commanding officer there, who is hereby ordered to receive and detain him prisoner till further orders." The other parties escaped with a fine, varying from twelve to one hundred pounds Scots, according to the rate which this Privy Council deemed they could contribute. Wodrow, in his history, mentions John Knox, minister of North Leith, as a prisoner at the Bass. His name, however, does not appear on the record; but there is no doubt that he refused to conform, as he was subsequently imprisoned in the Tolbooth of Edinburgh."

In the year 1679 these poor victims of religious intolerance, the Covenanters, who had been for months penned up in Greyfriars Churchyard, were, to the number of 257, marched through Leith and shipped on board an English vessel for transportation to Barbadoes, there to be sold as slaves. "The captain," says the Rev. Mr. Blackadder, "was a profane, cruel wretch, and used them barbarously, stowing them up between decks, where they could not get up their heads except to sit or lean, and robbing them of many things their friends sent for their relief. They never were in such straits and peril, particularly through drought,—as they were allowed little or no drink, and pent up together till many of them fainted and were almost suffocated." Their ship was wrecked among the Orkneys, and two hundred of the unfortunates perished with her. The captain and seamen, however, managed to gain the shore.

On 10th October 1681 other five victims were executed at the Gallowee, where their bodies were buried, while their heads were placed on the Cowgate

port. Some of their friends came secretly in the night and, lifting the remains, reinterred them in the new churchyard. They managed to take down the heads also for the same purpose, but, being scared, they enclosed them in a box, which they buried in a garden at Lauriston. On 7th October 1725 Mr. Shaw, proprietor of the garden, had them exhumed.

In 1680 the Duke of York had been sent to Scotland, in a kind of informal banishment, and had taken up his residence at Holyrood. He seems to have been fond of horse-racing, golfing, and cock-fighting, all of which he enjoyed at Leith. The Scottish Privy Council were empowered to put State prisoners who did not answer as they wished, to torture. The torture of the "boot" was then the favourite means employed to force answers. James was wont to sit and look on with the air of a connoisseur at times when the horror of the sight drove the hardest hearts from the room. His atrocities quite outdid those of his predecessor, Lauderdale. In November 1686 his yacht arrived at Leith with an altar, vestments, images, priests, and their appurtenances, for the popish chapel of Holyrood, where a college of Jesuits was established, and the chapel appropriated to their use.

"On the 18th August 1685," says Robertson, "the Privy Council sat in the Tolbooth at Leith, where seventy-two prisoners were examined. 'Those who took the oaths of allegiance and abjuration were dismissed; those who refused to comply were banished to His Majesty's plantations, and discharged ever to return to the kingdom hereafter without the King's or the Council's special leave.' A ship was prepared in Leith Roads to convey the recusants to New Jersey, who, after some days' imprisonment, 'were all sett on

board the vessel in which they were to be transported, and lay in Leith Roads a fortnight till they sett sail.' The sufferings of these witnesses for conscience' sake have often been told; and we cease to wonder that the nation hailed with joy the landing of William of Orange, and left the 'merciless James Stuart the Seventh a beggar in another land.'"

Previous to the Revolution of 1688 a separation of the congregation is recorded in the church at Leith,—those who adhered to Prelacy occupying St. Mary's, while the pure Presbyterians formed a separate party at the Meeting-house Green, near the Sheriff Brae, and "Maister Wm. Wisheart, being callit be thame, was settled by ye Presbyterie, minister of ye congregation." In 1692, after Presbyterian government had been established by Act of Parliament, Master Wisheart was transferred to South Leith Church, much to the indignation of its prelatie congregation, who endeavoured to oppose his entry into the church by force. But "ye magistrates, mmrs of ye pbtty, with a confused company of people, entered ye church be breaking open ye lockis of ye doors of ye church, and putting on new ones, and soe caused garde the church doores wt halberts, rang ye bells, and possessit Maister Wisheart of ye church." Again, "Yis daye being the ordinarie for weekly sermon and sessionne, Mr. Wisheart came to ye church with a guard of halberds, and preached, and after sermone took possessione of ye sessionn house."

After the Revolution a system of clerical police seems to have been adopted. On the 14th January 1692 the minute of session "appoints ane elder and deacon, by course, to go thro' ye toune each Sabbath day in time of sermon, forenoon and after, and to

observe who are on ye streets, or otherwise prophaning ye Sabbath be drinking or otherwise, and to call the officers to goe along with them." Again, "appoints Alex. Mathieson and James Meldrum to go thro' ye following Sabbath forenoon, and Pat. Glass and Will. Baird in ye afternoon, and so ye rest in order." Thereafter follows the reports of the visitation; and to such an extent was this system carried, that we find minuted: "31st October 1700.—Helen Tailezeour being summoned, was called and compeared, and acknowledged her guilt of carrying kale on ye Sabbath daye in tyme of sermone; she was appointed to appear before ye congregation Sabbath next to be rebuiked."

When an appearance of religion was necessary to all men in Scotland, the "Kantore," a small building in the Kirkgate, immediately in front of South Leith Church, was used as a place of temporary durance for those who incurred in any way the censure of the kirk session. Offences of the most trivial nature were severely punished, and a system of espionage was maintained from which there was hardly any escape.

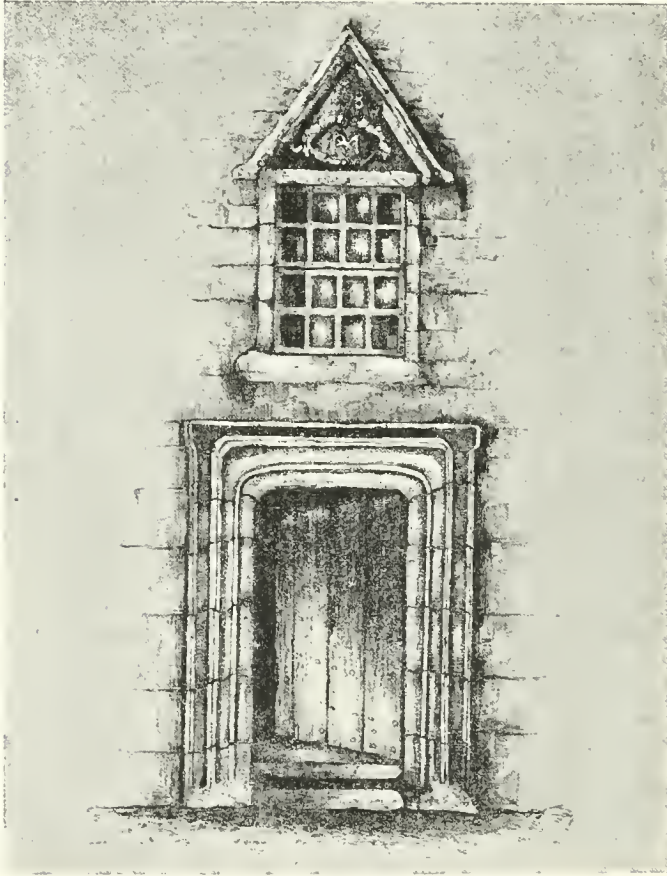
In those days we are told that to cut a cabbage, to boil a kettle, or to wander in the streets during the hours of sermon, rendered a person liable to arrest by a military patrol, and incarceration in the "Kantore." In the centre of this edifice was an archway leading to the church, and above it was a chamber, which, by order of the session in 1632, was repaired for the use of the "docter (teacher) of the grammar school." In 1692 the same chamber was used as a session-house, during the dispute about the incumbency of the parish. In later times the lower chambers were used as a receptacle for the gravediggers' tools and other débris of the churchyard, in which, in the first years of the

eighteenth century, the minister's sheep were wont to brouse.

In 1676 we find mention of the Quakers. "One John Scott, a Quaker in Leith, was fined by Bailie Carmichael there, in a hundred dollars, and banished from the town, for brewing upon the Sunday, and answering, when challenged for it by the bailie and Mr. Hamilton the minister, that "he might as weel brew on the Sunday as Mr. Hamilton might take money for going up to a desk, and talking and throwing water upon a bairn's face." He appealed to the Privy Council against the sentence as over severe and beyond the power of the magistrate, but he was ill set, for he had both the magistracy and the clergy—who solicited strongly—against him, for both of them would be baffled if the sentence were found unjust. The Council ratified the bailie's sentence, . . . whereupon Bailie Carmichael arrested and seized eighty bolls of malt the said Scott had paid ten or eleven pound the boll for, when victual was dear, and caused apprise and judge it to him, for his hundred dollars. (*Dom. An. of Scot.*, vol. ii. p. 376.)

Again, on the eve of April 1678, Hector Allan, seaman, a Quaker, was ordered by the Court to be transported to the Bass "for abusing Mr. Thomas Wilkie, one of the ministers of North Leith." Meetings of the Quakers were held in Allan's house at Leith, and Mr. Wilkie, being informed of this, in one of his sermons condemned Quaker principles, which roused the ire of Allan, who thus addressed Mr. Wilkie: "Friend, I know not by what authority thou doest these things," and proceeded to make a disturbance. He was removed by constables, and afterwards sent to the Bass. Finally he was imprisoned in the Tolbooth of Leith.

At this time the people of Scotland and England were very superstitious. To such an extent was witchcraft believed in, that in 1678 five witches were strangled and their bodies burned to ashes at the Gallow-



DOORWAY AND STAIR WINDOW, NO. 10 SHORE.

lee, and four others were burned at Painston Muir. The following were the accusations against them:—
“Intimacy with the devil, dancing with him, renounce-



THE SHORE OF LEITH.
From Photograph by J. Hislop, Edinburgh.

ing their baptism, and being kissed by him, though his lips were icy cold, and his breath like damp air; taking a communion at his hands, when 'the bread was like wafers, the drink sometimes blood, and other times like black moss water.'" This, as a writer remarks, took place within thirty years of the time when Steele and Addison were writing the *Spectator*.

What is called the "Shore," or Quay of Leith, extends from the Tower southward to the foot of the Tolbooth Wynd, and contains many quaint old buildings. Robertson has a view of the door and staircase window of No. 10, which bears the date 1678, with the initials R. M. No. 28 was the Old Ship Hotel, and No. 20 was the New Ship Tavern, the lower flat of which is shown, in the



Rotterdam view of 1700, exactly as it is now. Above its doorway can be traced a Latin motto from Psalm exxvi., ingeniously adapted to the calling of the house: *Ne dormitet custos tuus. Ecce non dormitat neque dormit custos domus* ("He that keepeth thee will not

slumber. Behold, he that keepeth the house (Israel) shall neither slumber nor sleep").

Robert Mylne of Balgargie, the builder of Holyrood Palace in 1678, built for his own purposes a large house upon the Shore of Leith, the north gable of which adjoined the Timber Bush. The ground was taken on feu from the city of Edinburgh, and the builder further undertook to construct a windmill thirty-two feet in diameter over the walls, which accordingly he did.

Another house on the Shore is a very early and good example of the Renaissance architecture of Scotland, when the native genius was completely crushed out and the foreign style of the time adopted. The period to which it belongs is the close of the sixteenth or opening of the seventeenth century. (See preceding page.)

In March 1679 the constables of South and North Leith, in common with those of the City and Canongate, and "whole suburbs of the good town of Edinburgh," by order of the Privy Council and Magistrates, were ordered to make up lists of all dwellers in these districts, while nightly lists of all lodgers were to be furnished by the bailies to the captain of the City Guard.

In January 1686 a dispute arose between the maltmen of Leith and the masters of King James's Hospital there, as to who should have the benefit of 2000 merks of the maltmen's stock mortified to that Hospital. The maltmen contended that the mortification should be *primo loco* applied to the maintenance of the poor of their own trade in the Hospital. The Privy Council referred the matter to the Bishop of Edinburgh, as the mortification was within his diocese, and he decided in favour of the maltmen.

On the accession of William and Mary (March 1689) a Jacobite insurrection, headed by Viscount Dundee, broke out in the Highlands, and in consequence the Militia was called out.

“Proclamation for calling together the Militia on this side of Tay, and the Fencible Men in some Shires. March 30, 1689.

. . . “Therefore the Estaites do Command and Require the Militia Horse and Foot in the several Shires after mentioned, according to the present Establishment by Law, to repair to the places following, sufficiently Armed and Provided, and there to Rendezvous under the Command of the respective Collonels of Foot, and Captains of Horse after named, viz. :—The Militia Regiment of the Town of *Edinburgh*, at the Links of *Leith* upon the fifteenth day of *April* next. The Militia Regiment of the Shire of *Edinburgh*, at *Currie-muir*; and the Militia Troop of Horse of the said Shire, at the Links of *Leith* the said day.” . . .

Act for the Levy.—“The Estaites of Parliament . . . Do Order and Appoint the Shires, Stewartries and Burghs within this Kingdom, to put out and deliver when they shall be thereto Required, and to such Officers, as shall be Commissionat by Their Majesties for that effect, the foresaids Proportions and Numbers which are hereby appointed to be Levyed, according to the Numbers formerly observed in the Militia, and are as follows, viz. . . . The Town of *Edinburgh*, *Leith*, and *Canongate*, one hundred and nineteen.”

In 1691 occurred one of those tavern brawls which, at this period, were not infrequent. At a tavern in the Kirkgate there happened to sojourn, on 8th March, three Frenchmen, brothers—Elias, Isaac, and George

Poiret. About midnight there entered the hostelry three persons, John, Master of Tarbet, Mowat, an ensign in the army, and one Sinclair, all in a state of intoxication. These in a little while fell foul of the brothers Poiret, and Elias Poiret was killed. Mowat, the murderer, was tried before the High Court of Justiciary on 18th August, but as no positive evidence could be adduced that he struck the fatal blow, the charge of murder was found not proven.

In 1695 the meeting of the Estates gave order and warrant to the Magistrates of Edinburgh to quarter two regiments, under the command of Major-General M'Kay, in Leith.

In 1696 Leith made another effort to free itself from its connection with Edinburgh. A bill of suspension was given in by the inhabitants of Leith against the Magistrates of Edinburgh of an unjust quota and proportion of cess laid upon them for their houses and trades. "They also raised a declarator of their privileges and exemption from any such illegal impositions, and that they ought to pay only for their ground, and be stented and assessed with the shire, and could not relieve Edinburgh of any share of their quota, unless they would allow them to be a Royal burrow (for which they had once an erection in Queen Mary's Regency), or else give them a participation of trade, which, by the 31st Act of Parliament, 1693, is communicated to burghs of barony and regality." The Lords of Session, considering that for many years Leith had borne a part of the town of Edinburgh's quota, and that, if the inhabitants of Leith were aggrieved, they might get retention or redress in subsequent terms' cess not yet fallen due, and that to stop the custom might create confusion, refused the town

of Leith's bill of suspension. After a long discussion on the question of declarator, the Court, on 10th February 1697, pronounced judgment, repelling the reasons of declarator, and, *inter alia*, "found, and hereby finds, the town of Leith, by law and custom being a part of the town of Edinburgh, is to be stented as to cess by the said town of Edinburgh."

At the instigation of William Paterson, founder of the Bank of England, a company was formed for the colonisation of Central America. This enterprise was known as the Darien Scheme. The expedition, consisting of four frigates, the *Rising Sun*, the *Companies' Hope*, the *Hamilton*, and the *Hope*, with 1200 men, of whom 300 were gentlemen, sailed from Leith Roads on the 26th of July 1698, to found the new colony and take possession of it under the name of New Caledonia, the chief city being called New Edinburgh. The expedition, as is well known, ended in the ruin of all those concerned in it.

It may be interesting to glance at a few of the principal manufactures which were carried on in Leith during the seventeenth century.

Soap seems to have been manufactured in the early part of the century. "Before this time (1619) soap was imported into Scotland from foreign countries, chiefly from Flanders. The King now gave a patent to Mr. Nathaniel Uddart for the manufacture of soap within the country, and Mr. Nathaniel accordingly raised a goodly work at Leith, furnishing it with all matters pertaining to the business. Before he had been at work two years (21st June 1621), he petitioned the Privy Council that foreign soap should be prohibited, professing to be able himself to furnish all that was required for the use of the country people, and thus save money from being

sent out of the country—a piece of false political economy much in favour, as we have seen, in those days. The Privy Council, after taking some pains to ascertain the character of ‘Mr. Nathaniel his soap,’ and becoming convinced that he could furnish the quantity needful, granted the prohibition requested, but not without fixing down the native manufacturer at a maximum price. This was decreed to be £24 per barrel for ‘green soap,’ and £32 per barrel for ‘white soap,’ each barrel to contain sixteen stone. Matters had not proceeded upon the footing of protection for above two years, when complaints became rife as to the inconvenience sustained by the lieges. The merchants of Edinburgh felt it as a grievance that their traffic for soap with the Low Countries was interrupted; they also complained of the quality of the article produced at Leith. The merchants of Dumfries and other distant ports groaned at being obliged to carry soap a long land journey from Leith, when they could have it brought by ships direct to their doors. In short, it was not to be borne; . . . they (the Privy Council) decreed (July 1623) that the restraint should terminate in a year, or sooner, if he should produce an inferior or dearer article.” (*Dom. An. of Scot.*, vol. i. p. 510.)

Tobacco-spinning was also introduced in this century.

“On March 19, 1674, Andrew M’Kairter represented to the Privy Council that, being a young boy at the schools of Dalmellington at the time of the Pentland insurrection in 1666, he had joined in that affair, and, after its conclusion, ‘out of a childish fear did run away to Newcastle, and having there, and in London and Holland, served ane long apprenticeship

in spinning of tobacco,' he was now returned to his native country, and 'hath set up the said trade at Leith.' His desire was to make his peace with the Government by signing the bond for the public peace. The Council entertained the petition graciously, and Andrew became, we may suppose, the first practitioner of tobacco-spinning in Leith." (*Dom. An. of Scot.*, vol. ii. p. 346.)

Linen manufacture seems to have been established in the Citadel for some time before the end of the century, but for some cause or other it languished, "notwithstanding of the great charges and expenses the present master thereof at Paul's Work at the foot of Leith Wynd, and at the Citadel of Leith, has been at in carrying on the said good work."

In 1699 the proprietor of the Leith Glass-works complained to the Privy Council of a practice pursued by a Newcastle glass manufacturer in sending great quantities of his goods into Scotland. In February 1700 this interloper landed two thousand six hundred dozen bottles at Montrose; then the Leith Glass Company were empowered to seize and "bring them in for His Majesty's use." The Bottle House Company began to manufacture glass vessels in 1746, and for this purpose erected the first of the cones or furnaces on the sands, in the vicinity of Salamander Street.



THE ABOVE IS FROM A HOUSE BETWEEN SMEATON'S CLOSE AND ST. ANDREW STREET.

CHAPTER XIII

CAPTAIN GREENE—FIRST DOCK EXTENSION—
THE “FIFTEEN”

THE eighteenth century was ushered in with a gloom which overspread not only Leith, but the whole of Scotland. The Darien Expedition, in which so many had embarked their wealth, had ended in disastrous failure. This result had aroused a feeling of bitter indignation against the English, to whose jealousy it was but too justly attributed; and the irritation was still further increased by the efforts of the English Government at this time to secure the union of the two countries. This animosity led to a judicial tragedy which, it is to be feared, had little justification. The Darien Company, notwithstanding the ruin that had befallen their enterprise, still traded with the East, and one of their vessels being seized in the Thames, was sold by the English East India Company, to whom the owners applied in vain for restitution or repayment.

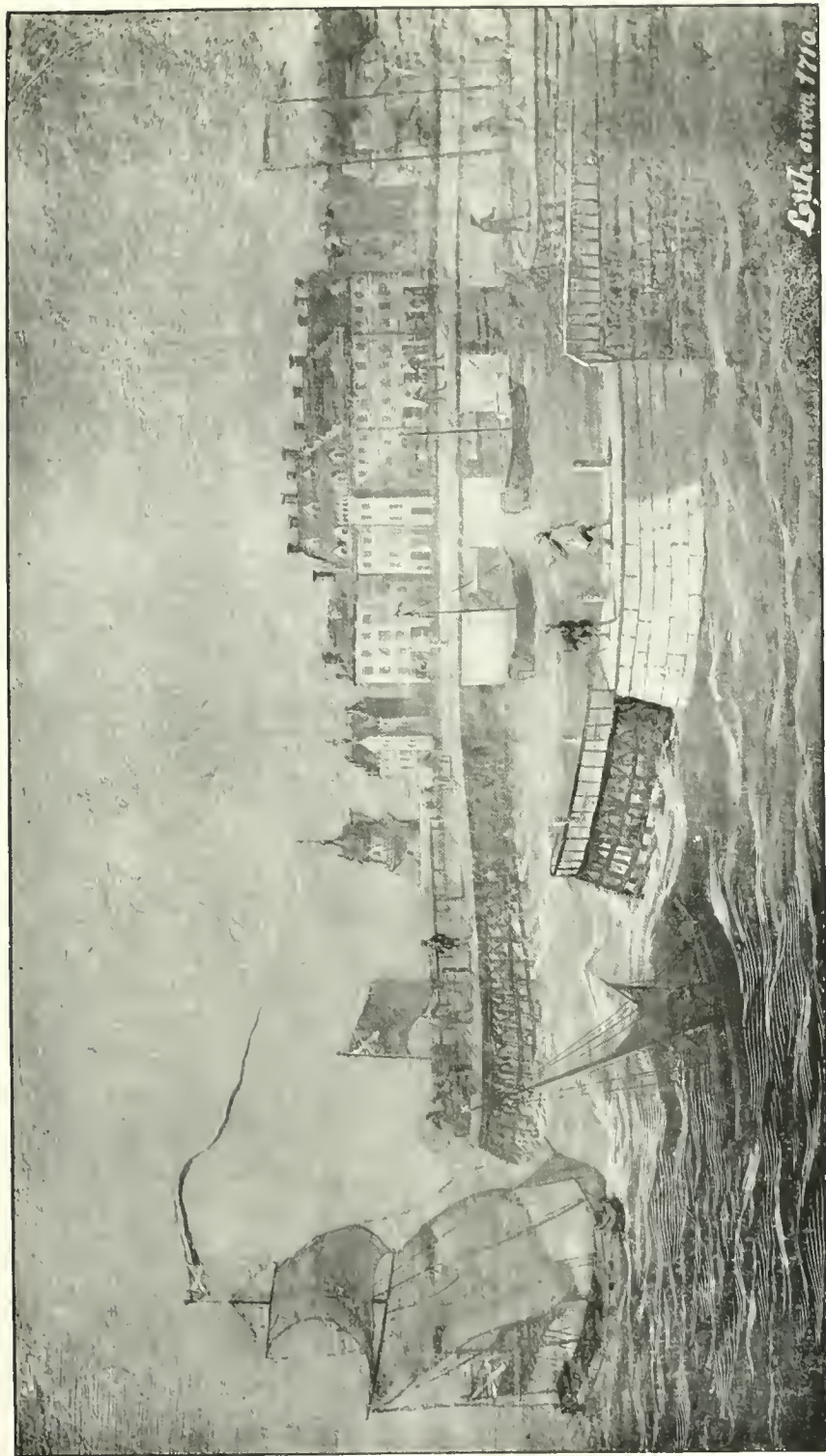
In 1705 an East Indiaman, the *Worcester*, Captain Greene, was driven by stress of weather into the Firth of Forth, and brought up in Leith Roads. By way of reprisal, it was seized by order of the Scottish Admiralty Court, and taken to Burntisland. Some of the crew, while ashore on a drunken carouse, threw out dark hints of piracy and murder committed in the Indian seas. These maunderings becoming noised abroad,

popular imagination soon wove them into a circumstantial story. It was, in effect, that while on the Malabar coast in 1702 the *Worcester* fell in with a ship belonging to the Darien Company, commanded by one Drummond. The Scottish ship was seized, Drummond and his crew murdered with hatchets, and the cargo transferred to the hold of the *Worcester*. This story, in the then excited state of popular feeling, was everywhere credited, and Greene and his whole crew were apprehended and imprisoned. They were brought to trial before the Admiralty Court on 5th March 1705, and, although there was no evidence beyond that furnished by themselves, or rather that which had been twisted from their conversation, and although there was no proof that Drummond and his crew had been killed at all, the entire crew, fifteen in number, were found guilty, and sentenced to death. Intercession was made for royal mercy; but the mob, who imagined that there was an intention to reprieve the criminals, raised such a clamour about the ears of the Privy Council, then sitting in Edinburgh, that, to appease them, Greene, Madder the first mate, and Simpson the gunner of the *Worcester*, were on 4th April hanged on Leith sands. The remainder of the crew were reprieved, and ultimately pardoned. Duncan Forbes of Culloden was so convinced of the innocence of the three unfortunate men, that he put himself in mourning and accompanied them to the scaffold. He afterwards said in the House of Commons, when speaking on the murder of Captain Porteous: "A few months after [the execution], letters came from the captain for whose murder, and from the very ship for whose capture, the unfortunate persons suffered, informing their friends that they were all safe. These letters were

of a date much later than the crimes for which Greene was condemned were pretended to be perpetrated."

Although the Treaty of Union—signed 1st May 1707—had been received by the people of Scotland with hostility, it was not long before its beneficent effects began to be apparent. Notwithstanding the foremost place which Leith had for so many years occupied among the seaports of Scotland, its small and inconvenient harbour had hitherto been sufficient for its trade. Now, however, trade began to increase, and it was thought that, if the port was to preserve its supremacy, measures must be taken to improve and extend the harbour. In April 1710 the Corporation of Edinburgh presented a petition to Queen Anne, humbly praying that Her Majesty would be graciously pleased to give the necessary directions for establishing at Leith a wet dock and dry dock, for the convenience of building, fitting, and careening Her Majesty's ships-of-war and trading vessels, which, as set forth in the said petition and the memorial delivered therewith, would greatly conduce to the interests of trade in general. The petition and memorial being read in the Queen's presence, and by her referred to her Privy Council, were transmitted to the Cabinet Council, and by them to the Lords of the Admiralty, who, unanimously approving of the design, sent Her Majesty's command to raise the money requisite for its execution to the Commissioners of the Treasury.

The Commissioners of the Navy selected Queensferry as the site of the new docks, probably on the score of economy, whereupon the Common Council drew up a petition and memorial calling attention to the particular claims and convenience of Leith. This was likewise referred to the Privy Council, who apparently



Leith about 1710.

LEITH HARBOUR IN 1710.
(Reproduced from a painting in the Trinity House, Leith.)

“pigeon-holed” it. The Corporation, finding their supplication neglected, sent another to the same effect as the first. In consequence of this second petition, Earl Pembroke, Lord High Admiral, directed several Commissioners of the Navy, and some officers of the docks, to survey the Firth of Forth on both sides. The report of these gentlemen was so particularly favourable to Leith, that the projected improvements were ordered to be immediately proceeded with.

A hitch appears to have arisen, as it was the year 1717 before the works were fairly started. “The Government,” says Arnot, “would not incur the expense, but encouraged the Council in their projected improvement, by prolonging, for nineteen years, the duty of two pennies Scots on the pint of ale and beer sold within the city or liberties.” According to Maitland, the works were executed in so slovenly and bungling a fashion that, even before finished, which they were about 1720, constant repair was required to prevent their falling into a heap of ruins. This enormously increased the expense; and the town’s debts, which were previously about £25,000, were nearly doubled. The stone pier, included in these improvements, was constructed between 1720 and 1730. It was a continuation of the ancient wooden one, and was carried seaward for a hundred yards. For a time this to some extent remedied the difficulty and hazard of the inward navigation, but still left the harbour mouth encumbered with its unlucky bar of shifting sand.

The year 1715 was a memorable one for Leith, for during the “Fifteen” the town was for the last time forcibly taken possession of by an enemy. Early in the October of that year the Earl of Mar, in arms in the north for the Pretender, deter-

mined to send reinforcements to the Earl of Derwentwater in Northumberland. For this purpose he detached 2500 troops, under the command of Macintosh of Borlam, or, as he was usually called, Brigadier Macintosh—a fiery old Highlander, who had shortly before signalised himself by the capture of Inverness. In marching southwards through Fife, he learned that three ships of war were moored off Burntisland, in order to frustrate any attempt of the rebels to cross the estuary at this the most likely place; but the wily brigadier was equal to the occasion. He ordered five hundred of his men to seize all the boats at Burntisland, and to make preparations as if to force a passage. While the men-of-war were thus kept on the alert to frustrate this desperate attempt, Macintosh seized all the boats between Elie and Crail, and, embarking during the night, safely landed nearly the whole of his force at various points on the East Lothian shore before the English were aware of his manœuvre. Only one boat, containing forty men, was captured. These prisoners were immediately taken to Leith and lodged in the Tolbooth, while two of the men-of-war were anchored off the harbour, either to prevent the escape of the prisoners, or to capture Borlam on his return northwards. Borlam meanwhile had, on the morning after his landing, the 14th October, concentrated his force at Haddington, and now turned his face westwards in the direction of Edinburgh. Such a movement on the part of the insurgents had not been dreamt of; no precautionary measures had been taken, and the consequence was a wild panic. Campbell says: “The approach of fifty thousand cannibals could not have discomposed the heroic Edinburghers more than did this counter-march of old Macintosh. The volun-

teers were called to arms; the whole pugnacious strength of the town, consisting of cohorts from the Canongate, and hogs in armour from St. Mary's Wynd, were summoned forth to battle. All was bustle and confusion, and terror and dismay. In the meantime the enemy approached; but, instead of attacking the beloved city, Macintosh held on his way to Leith, where, it will be found, he had some little business to transact." This little business was the deliverance of his forty clansmen, and it was apparently the sole object of his descent upon Leith. Entering the town in the evening, Borlam marched straight to the Tol-booth, and, burning down the doors, released his countrymen. The Highlanders next ransacked the prison; but, finding nothing worth "lifting," they stuck their dirks through the Council records, as a memorial of their visit. Finding themselves in undisturbed possession of the town, and "thinking, no doubt, that it would be as well, as they were there at anyrate, to look around them and see if a little profitable business could not be done, they remained in the town, and spent the afternoon agreeably enough in ransacking the custom-house, where they found a most comfortable supply of provisions of various kinds, and a considerable quantity of brandy. Finding matters turning out well, and that Leith, upon the whole, was pretty fair quarters, they came to the resolution of sojourning in it for some time, or at least until they should have consumed all the good things they had fallen in with. With this view, after clearing the custom-house, they took possession of the Citadel, and thereafter boarded some vessels in the harbour, from which they carried off several pieces of ordnance;—these they planted on the ramparts, and at the ports of the garrison. This done, they barricaded

the most accessible places with beams, carts filled with stones, earth, and other materials. These precautionary measures being completed, they now hoped to be allowed to sit down in peace, and enjoy the fruits of their industry." But the next morning the Duke of Argyle, having hastily collected a force of 300 cavalry, 200 infantry, and 600 militia, marched down from Edinburgh, invested the Citadel, and summoned Macintosh to surrender. Macintosh, however, considering his position strong enough to withstand the Duke's motley and half-hearted legion—not a few of whom, indeed, deserted—returned a defiant reply. Thereupon his Grace, finding he could do nothing in the meantime, returned to Edinburgh for scaling-ladders and artillery. Macintosh did not wait for the reappearance of Argyle, but evacuated the Citadel that night. He marched his men along the sands past the end of the pier, the water only reaching to their knees as they crossed the Water of Leith; and, continuing eastwards, took possession of Seton House. As to the future proceedings of Macintosh, he succeeded in joining Derwentwater, and surrendered with him at Preston; but, it is pleasing to record, he with seven others broke prison and escaped.

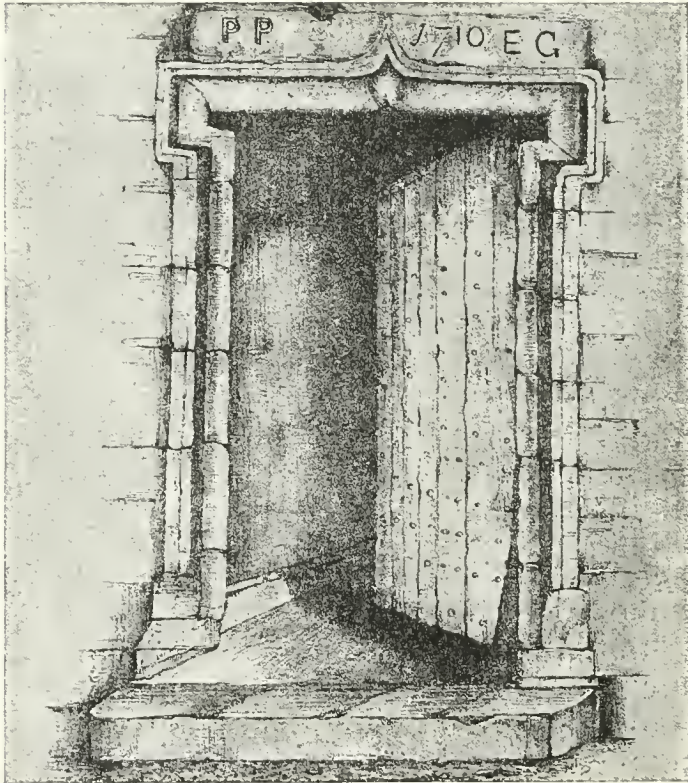
That the inhabitants of Leith were themselves half-hearted in turning out to uphold established authority during the "Fifteen," either from sympathy with the Jacobite cause, or from a wholesome regard for their own safety, is apparent from the following proclamation:—
"By the Honourable Magistrats of Leith: Whereas complaint hath been made to us, by the officers of the train-bands of South Leith, that the inhabitants or train-bands of the said toun doe refuse to attend their colours and mount guard in the place as formerly, and such as have arms of their own doe lykewyes refuse to

bring the same along with them, in manifest contempt of our authority and of ane former proclamation emitted thereanent : these are, therefore, in his Majestic's name, King George, and by his authority, requiring and commanding the haill inhabitants or train-bands of South Leith to attend their respective officers' colours upon tuck of drumme at what hour their said officers shall appoint, and to bring their best armes along with thame, in order to mount guard. Certifying such of the said train-bands who shall delay or refuse so to doe, that they and ilk ane of thame shall incurre and be made lyable in the soume of five pounds Scotts money, *toties quoties* they shall transgress the premises ; which fyne wee hereby allow the said respective officers to exact by causing point the transgressors therefore ; and we appoint the haill town officers of Leith to concurre in pointing of the said transgressors, the samen being always done in the day-time, and not under cloud of night."

The trained bands of Leith could not have amounted to any very considerable force, as from the middle of the sixteenth century, to go back no further, to the time of the Union, the size of the town had remained practically the same. At the latter period Sandport Street, which then led to the beach, with a few old houses near the Citadel, and the old church of St. Ninian's, comprised the whole of North Leith. The first census, taken in 1712, showed that the population of Edinburgh and Leith together was 48,000.

In 1722 the Corporation of Edinburgh obtained an Act of Parliament for continuing the duty of two pennies Scots upon the pint of ale or beer sold in Edinburgh, by which the Corporation were enabled to purchase the superiority of Calton, Back of Canongate, Yardheads of Leith, and the property of Calton Hill

and Leith Mills. "For the purpose of ascertaining the price, a submission was entered into between the Magistrates and Lord Balmerino (who then possessed Leith Mills), in terms of the aforesaid Act of Parliament, to certain arbiters, who accordingly decreed his Lordship to grant a valid right to the aforesaid superiority and property, upon receiving payment from the town of £49,000 Scots." A charter of resignation of the whole property was therefore passed in favour of the Magistrates on 22nd June 1725.



THE ABOVE SKETCH IS THAT OF AN OLD DOORWAY IN QUALITY STREET.

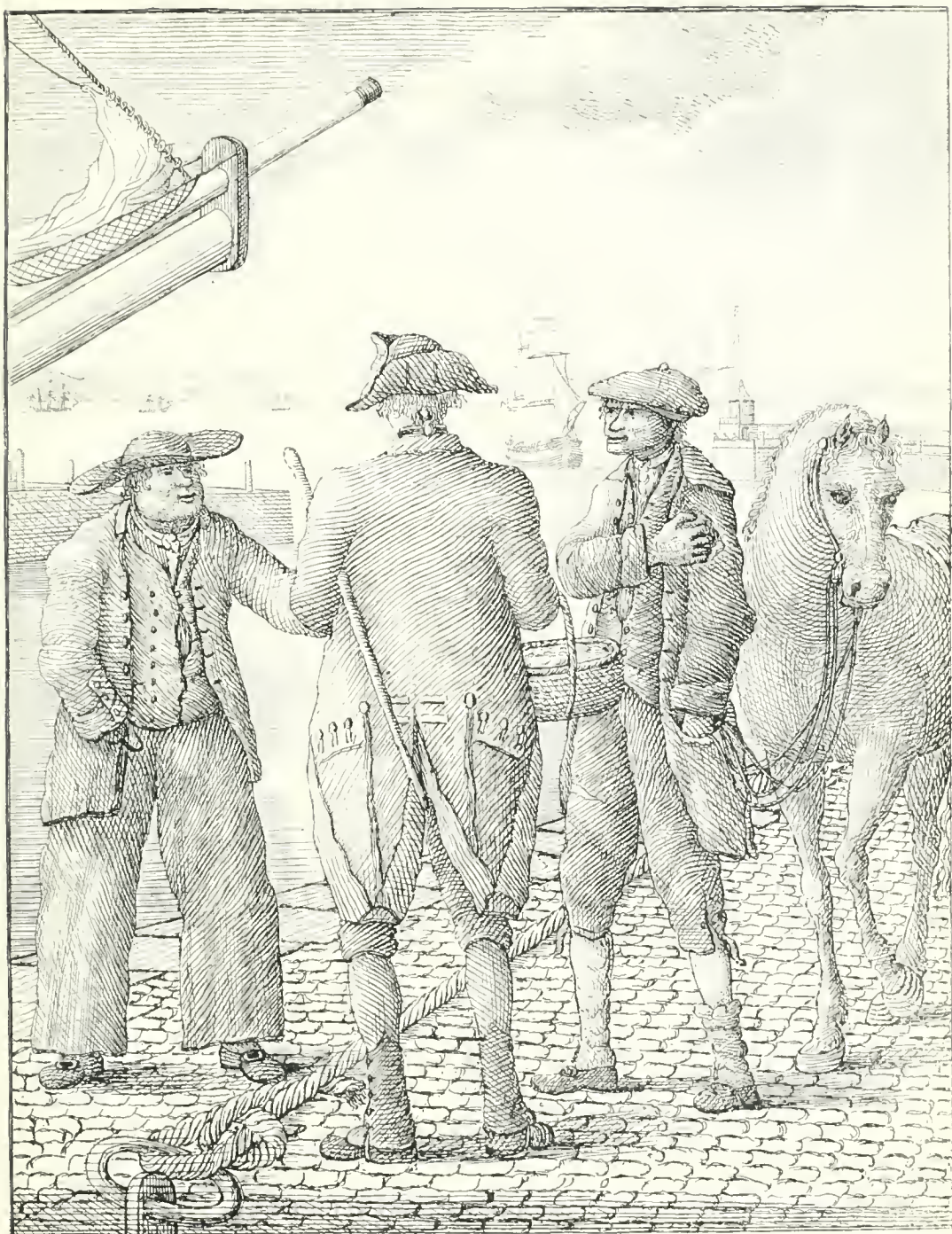
CHAPTER XIV

SPIRIT DUTY—EMANCIPATION OF THE INCORPORATED
TRADES—THE MEAL MOB—THE “FORTY-FIVE”

IN 1736 an Act of Parliament was passed “for laying a duty upon the retailers of spirituous liquors and for licensing the retailers thereof.” The preamble stated, that “whereas the drinking of spirituous liquors or strong waters is become very common, especially amongst the people of lower and inferior rank, the constant and excessive use whereof tends greatly to the destruction of their healths, rendering them unfit for useful labour and business, debauching their morals, and inciting them to perpetrate all manner of vices; and the ill consequences of the excessive use of such liquors are not confined to the present generation, but extend to future ages and tend to the devastation and ruin of this kingdom. For remedy whereof it is enacted that from and after 29th September 1736, no person shall presume to sell or retail any brandy, rum, arrack, usquebaugh, geneva, *aqua vitæ*, or any other distilled spirituous liquors in any less quantity than two gallons without first taking out a licence for that purpose, for which he shall immediately pay down the sum of £50.” This licence was to be renewed and paid for annually at the same rate, under a penalty of £200 for each offence. And it was further provided that

for all such spirituous liquors there should be raised and paid to the revenue a duty at the rate of twenty shillings for every gallon.

Extraordinary encouragements were held out to informers, and a fine of £100 was ordered to be exacted from those who, even through inadvertency, should sell the smallest quantity of spirits which had not paid the full duty. Here, then, was an Act which would surely have satisfied the modern teetotallers and prohibitionists. But what was the effect? Precisely the reverse of what was anticipated or desired. Respectable dealers withdrew from a trade which was described in such terms, and which received such treatment from the Legislature. The trade fell into the hands of a low and unscrupulous class, who, as they had nothing to lose, defied the law, ignored its restrictions, and evaded its penalties. Smuggling became largely prevalent, "the populace espoused the cause of the smugglers and unlicensed dealers, the officers of the revenue were openly assaulted in the streets, informers were hunted down like wild beasts, and drunkenness, disorders, and crimes increased with a frightful rapidity." The effects were so seriously deplorable that in 1742 the Government had to repeal the Act and reduce the duties. "The consequences of the change were highly beneficial. An instant stop was put to smuggling; and if the vice of drunkenness was not materially diminished, it has never been stated that it was increased." Leith at this time seems to have been to some extent the whisky port. At all events, the rise in the price of whisky caused considerable consternation there. A cartoon, which is now very rare, was issued, showing a carter and two porters having a "serious confab about the recent rise in the price of whisky on the Shore."



A SERIOUS CONFAB
on Lath-Pu
upon the late alarming rise in the price of Whisky.

The Incorporated Trades of Leith, who had so long groaned under the tyranny of those of Edinburgh, in the year 1734 made a gallant and successful struggle for independence. The initiative was taken by the cordwainers, who had decided to submit no longer to the contention of the Edinburghers that neither they nor any other of the corporate trades of Leith had a legal title to assume that name, or to exercise the functions pertaining to incorporated trades. In 1731 the cordwainers of Leith commenced a process in the Court of Session against the cordwainers of Edinburgh, in order to have their title to independence made clear. After long litigation, the Court found, what the Edinburghers had all along denied, that the charter granted by Robert Logan of Restalrig in 1550 was good and valid, and declared the cordwainers a free and independent corporation. It may be observed that this charter, or "seal of cause," replaced the previous one, which had been burned in the sack of Leith in 1544. This decision seems to have aroused the Edinburghers to a sense of the danger of altogether losing control of the trade of Leith. In 1733 the Magistrates, having been advised that they had the power to do so, prepared to take action to prevent the inhabitants of Leith from using the privileges of trade without a licence from Edinburgh. But on account of the late decision the other corporations of Leith plucked up courage, and, one and all, followed the example of the cordwainers in laying their grievances before the Court of Session. The result was similar. In 1734 they were declared free and independent of the Incorporated Trades of Edinburgh.

In 1739 the declaration of war against Spain was proclaimed at the foot of the Broad Wynd and at the end of the pier. It is doubtful, however, if the war had any-

thing to do with the permanent quartering of military in Leith in the beginning of 1740. General Guest, commanding in Scotland, required the Magistrates to find billets in North and South Leith for certain companies of Brigadier Cornwallis's regiment, latterly the 11th Foot. The proclamation ran thus: "Joshua Guest, Esq., Major-General commanding in chief His Majesty's forces in North Britain. These are requiring the Magistrates, High Constables, and others of the town of South Leith, North Leith, St. Anthonis, and the Yearheads, to provide sufficient quarters for two companies of Brigadier-General Cornwallis's regiment, who are to quarter with You till further orders. Given at Edinburgh the 28th day of January 1740.—JOS. GUEST. To the Magistrates, Constables, and others concerned in the town of South Leith, North Leith, St. Anthonis, and the Yearheads."

That troops, however, had been previously temporarily billeted in Leith is evident from the order, dated 1725, of Charles Crockatt and James Watson, bailies of Leith, "sitting in judgment," who ordain "Wm. Guthrie, present moderator high constable, and his bretheren, to take up lists of such persons as have beds for lodging the soldiers in local or transient quarters, and to report to the bailies wherein these presents shall be warrand. Sic Subtr Charles Crockat, bailie, Ja. Watson, bailie. Extracted furth of the town court-books of Leith by me.—ALEXR. HOME."

From these orders it will be seen that the billeting of troops was a part of the duty of the constables, whose nomination lay with the bailies. Their office was sufficiently arduous; for, besides the billeting of the military, they had, among many other duties, to "apprehend all vagabonds, Egyptians, and sturdy

beggars, all banners, cursers, swearers, and blasphemers of God's name, drunkards, Sabbath-breakers, or other lewd persons," and to suffer no "infamous persons, Jesuits or priests keeping private masses," to remain in their bounds. The constables were also empowered to "exact penalties conform to the law." As might be expected, the dignity of constable was not always coveted, and a penalty was incurred for non-acceptance of the honour. For instance, we have this warrant of the year 1721 :—

"Leith, 19th Oct. 1721.—The Bailie, in regard that Dionesius Thomson, maltman in Leith, and David Ogilvie, clerk to the weigh-house there, are all personally cited to have compeared this day to have accepted their offices as constables; and they being openly called in court, have given no obedience: Therefore the Bailie fines each one of them in ten pounds Scots for this day's contumacie, and ordains their persons to be imprisoned, or goods poynded to the value, and appoints their officers to cite the said persons to appear in the court place against Tuesday next, at eleven of the clock in the forenoon, under the pains, penalties, and certifications contained in the law, anent all which thir presents shall be a warrand.—ROBERT GRIERSON, baillie." Another warrant, 1720, ordains other recusants to be "imprisoned in the Tolbuith."

It was not long before the troops quartered at Leith were called upon to act, not against a foreign foe, but against the rabble of Edinburgh. The winter of 1739–40 was so severe that the mills were stopped and meal could not be ground, whereby a great dearth was occasioned. Following upon this came a bad harvest in the autumn of 1740: prices went still further up, and the people of Edinburgh, from being

discontented, became riotous. The Magistrates, with the laudable desire of allaying popular clamour, “made an exact survey of all the meal and corn in Leith, in order to prevent its being kept from public markets (whereby the retailers might increase their profits), and to satisfy the public that nothing was omitted to prevent the oppression of the poor by exorbitant prices.” It was found, as the result of this survey—15th October—that the stock of oats and beans at Leith did not exceed 400 bolls, and the meal 150 bolls, “belonging to a considerable number of persons.” This did not satisfy the populace; they still believed that there existed large stores of hoarded grain. Shortly afterwards a large body of rioters made a descent on Bell’s Mills, but, not finding there the precious meal, they made for Leith, in order to raid the granaries. Notice of their intention, however, had preceded them, and the military quartered in the town were called out. Unfortunately, their numbers were few, and, the points of attack being situated in various quarters, the officer in command considered it inadvisable to divide his men. The mob, therefore, had it all their own way for a time, and carried off about 150 bolls of oats, meal, and pease, and also 400 bolls of wheat, which had been imported from England. Eventually, however, reinforcements arrived: the rioters were attacked and speedily dispersed, twenty-three of their number being made prisoners. The next day, as the prisoners were being escorted to Edinburgh by two hundred of the military, a desperate attempt was made to rescue them, and many of the soldiers were wounded by stones. The forbearance of the military made the mob bolder, and, matters looking serious, the soldiers, upon the order of the civil magistrates, fired

upon their assailants, with the result that one was killed and several wounded. This effectually dispersed the mob, although they gathered again at night and plundered several places in the suburbs. In order to remove the apprehensions of Leith grain importers, the Magistrates of Edinburgh, by an Act of Council, promised to indemnify all losses which should occur in consequence of mobs from that date until 19th September 1741.

In 1745 Leith was thrown into ferment by the ominous events of the "Forty-five." On 4th September the trained bands were called out by proclamation: these consisted, as in Edinburgh, of every fourth man, their arms being provided by the town. Less than a fortnight afterwards, a body of the King's forces, consisting of dragoons and the city guard of Edinburgh, posted at Coltbridge to defend the capital, fled precipitately on the approach of the Pretender's army. "They passed," says Robert Chambers, "in inexpressible hurry and confusion through the narrow lanes at Barefoot's Parks, in the sight of all the north part of Edinburgh, to the infinite joy of the disaffected, and equal grief and consternation of all the other inhabitants. They rushed like a torrent down to Leith, where they endeavoured to draw breath; but some unlucky boy (I suppose a Jacobite in his heart) calling to them that the Highlanders were approaching, they immediately took to their heels again."

On the 21st of September the battle of Prestonpans was fought. Prince Charles took up his residence at Holyrood, and exacted from the city of Edinburgh a thousand tents, six thousand pairs of shoes, and a vast quantity of smaller articles, for the use of his troops; the expense of which was so great as to call for an

assessment of half-a-crown a pound on the rental of the city. He seized all the goods in the custom-houses of Leith and Borrowstounness, and immediately converted them into money by selling them back to the smugglers from whom they had been taken.

While the Highlanders remained in possession of Edinburgh, the castle was held by the King's troops, under General Guest. During the bombardment of the city, provoked by the attempt of the rebels to prevent supplies being conveyed to the castle, a few houses were set on fire, and, on the people hastening to extinguish the flames, some of them were killed. "The people, then greatly alarmed, began to busy themselves in transporting their aged and infirm friends to the country, along with their most valuable effects; and the streets, on which the bullets were every moment descending, were soon as completely deserted by day as they usually were by night. In running down to Leith for shelter, a great party met the inhabitants of that town hurrying for the same purpose towards Edinburgh, because a British ship-of-war, lying off in the roads, and whose intercourse with the shore had been cut off by the Highlanders, was firing into their streets with the same fatal effect. All was perplexity and dismay, and the unhappy citizens stood still, wringing their hands, and execrating the cruel necessities of war. The distress which the blockade of the castle had brought upon the city was now found to be so unfavourable to Charles's cause, that he was obliged, for the sake of that cause, to take it off."

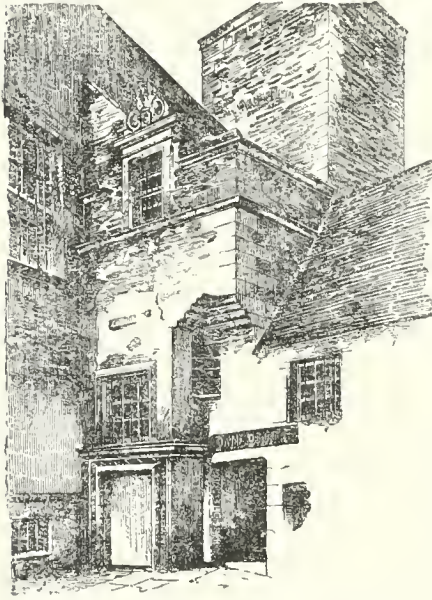
Prince Charles, previous to setting out on his famous march to Derby, held a grand review of his army, numbering between 5000 and 6000 men, on the beach between Leith and Musselburgh. On the 31st

of October he left Holyrood, for the last time. In the beginning of 1746 he was in full retreat to the north, followed by Cumberland.

On 8th February 5000 Hessian troops, under the Prince of Hesse, arrived in Leith Roads to join the forces of Cumberland. The Prince landed that night at the harbour, and was taken to Holyrood, under a salute from the castle. On the 15th the Duke of Cumberland paid him a formal visit, and a council of war was held in Milton House, after which the Duke set forth again, leaving the Prince of Hesse to follow. Many public persons flocked to welcome the latter, and the ministers of Edinburgh and Leith, we are told, poured forth torrents of vituperation on "the Pretender and his desperate mob," for which, to their astonishment, they were sharply rebuked by the Prince, "with the sternest air he could assume," and he told them that Prince Charles was no Pretender, but the lawful grandson of James VII., as all men knew; and that it was "very indecent and ill-mannered in a gentleman, and base and unworthy in a clergyman, to use reproachful and opprobrious names." (*Constable's Miscellany*, vol. xvi.) The Hessian Army won the esteem of the people of Edinburgh and Leith, and were the first to introduce black rappee into this country. The Hessians, however, soon began their march northward.

One active participant in the Rebellion, Lord Balmerino, merits a word, because of his connection with Leith. The first Lord of Balmerino was Sir James Elphinstone, secretary to James VI., who in 1609 bestowed on him the forfeited possessions of Robert Logan of Restalrig. Arthur, the sixth and last Baron Balmerino, was born in 1688, and succeeded his brother James in January 1746, little

more than seven months previous to his tragic end. The Stuarts had no more staunch adherent. He was "out" in the "Fifteen," but afterwards made his escape and entered the French service. His father procured a pardon for him in 1734, and we hear little of him until 1745, when he left the family mansion in the Kirkgate to join the Pretender. He



THE PRINCIPAL DOORWAY OF LORD BALMERINO'S HOUSE, ENTERING FROM THE KIRKGATE. A GOOD SPECIMEN OF EARLY SEVENTEENTH-CENTURY SCOTTISH ARCHITECTURE.

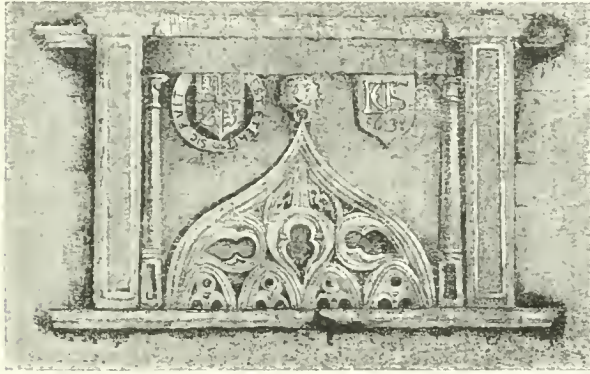
says in his dying declaration: "When His Royal Highness came to Edinburgh, as it was my bounden and indispensable duty, I joined him, though I might easily have excused myself from taking arms on account of my age; but I never could have had peace of conscience if I had staid at home when that brave prince was exposing himself to all manner of danger and fatigues both night and day." He

voluntarily sur-

rendered after Culloden, was conveyed to London, tried, condemned, and executed on Tower Hill, 18th August 1746, along with the Earl of Kilmarnock. With the death of Balmerino the title became extinct; his estates were confiscated and sold in 1755 to the Earl of Moray, and the right of presentation

to the first charge of South Leith parish, of which the Balmerino family were the patrons, was assumed by the Crown. His childless widow, the daughter of a Captain Chalmers of Leith, was left destitute, but George II., commiserating her distress, granted her a pension of £40 per annum. She died at Restalrig on the 26th August 1765.

The Scottish Episcopalians, at the time of the Rebellion identified with the Jacobites, suffered severely. After the battle of Culloden the Episcopal chapels



DECORATION ABOVE A DOORWAY IN LORD BALMERINO'S HOUSE.

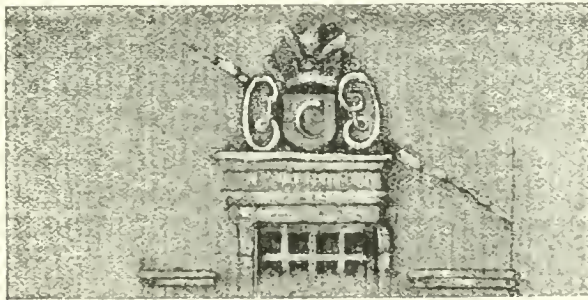
throughout Scotland were ordered to be closed. Referring to the chapel at Leith, Chambers says: "Throughout these troublous days a little Episcopal congregation was kept together in Leith; their place of worship being the first floor of an old dull-looking house in Queen Street, dated 1516, the lower floor of which was, in my recollection, a police office." After the Rebellion the Episcopal meeting-house at Leith, called St. James's Chapel, was shut up by the sheriff of the county. The Rev. Robert Forbes (afterwards Bishop), and the Rev. Mr. Law, who officiated in

this chapel, continued to perform the duties of their office by stealth, being liable to fines, imprisonment, and banishment. "Persons of this persuasion," says Arnot, "being thus deprived the forms of worship their principles approved, brought from the neighbouring country Mr. John Paul, an English clergyman, who opened the chapel on 23rd June 1749." Thus the community were allowed to worship in peace, for the intention of the Legislature was to suppress the Scottish Episcopal Church and the native clergy, and to grant toleration only to those clergymen who derived their orders from the English and Irish Churches.

Interest in the Rebellion was kept alive by the escape from time to time of such participants as had managed to evade the clutches of the law. One of the chief of these was Lord George Murray. For some months after Culloden he had lurked about the country, and latterly had lain hidden for two months in Leith, sheltered by some devoted adherents of Lord Balmerino. One night in the winter of 1746 he with two companions made his way to the Figgate Whins, between Leith and Musselburgh, where was situated what was termed a hostelry, but which was in fact a smugglers' rendezvous, kept by an old sailor named Hunter, who, having served under Admiral Vernon, commemorated his commander's great exploit by calling his house Portobello. All next day the fugitives remained in Hunter's house, waiting for the *Good Intent*, a gallant smuggling craft, in which they were to take their passage abroad. Towards evening the lugger made her appearance, and no time was lost in running the cargo; but just as operations were nearly finished, and Murray was preparing to embark, the whole party were surrounded by the military, who

had got wind of Murray's purpose. The smugglers, escape being thus cut off, had no choice but to fight; the military, however, a fencible regiment, were brought to a halt by a volley from the lugger, and soon after a round shot from the same quarter completed their discomfiture, and put them to inglorious flight. Lord Murray thereafter proceeded on board the *Good Intent*, and reached Holland in safety. Anstruther has also been named as the place of Murray's embarkation.

When smuggling was a lucrative and comparatively safe practice, many devices were adopted to defeat the vigilance of the revenue officers, who were not, indeed, infrequently suspected of being in league with the smugglers. The vessels engaged in the contraband trade, which came as far up the Firth as Leith, rarely made two consecutive voyages without changing their appearance, so as not to be readily recognised by those who had reason to be suspicious of them on former visits. Very frequently, too, they would pass Leith, as if bound for Alloa or Bo'ness, and, after dark, would quietly drop down to the place where the cargo was intended to be run ashore.



THE ABOVE IS A DECORATION ABOVE THE PRINCIPAL DOORWAY OF BALMERINO'S HOUSE. THE LETTER C AND EARL'S CORONET ARE THE INITIAL AND CORONET OF THE EARL OF CARRICK.

CHAPTER XV

THE FIRST IMPROVEMENT ACT—MUTINY OF THE
HIGHLANDERS—PAUL JONES

As the calm succeeds the storm, so, for some years after the "Forty-five," there was little to ruffle the even tenor of Leith's way. Maitland, writing about the middle of the century, says in regard to the government of Leith: "The inhabitants of Leith having no Government of their own, the Edinburghers appoint yearly one of their old magistrates to be Baron Bailiff and Judge Admiral of Leith, And of late nominate a person residing in Leith as the said Baron Bailiff Deputy, who not only acts as Conservator of the Peace, but presides in the Court held here, wherein are tried causes both civil and criminal, other than in capital cases. The officers of the town are the afore-said Baron Bailiff and his Deputy, a Town Clerk, Fiscal, Constables, and four officers belonging to the Magistrates." This arrangement seems to have dated back to 1667, and it continued, with little alteration, until 1833.

In 1748 a dispute, having its origin during the occupation of Edinburgh by the rebels in 1745, was taken before the Court of Session. The rebels in 1745 sequestered the estate of Winton and appointed

a factor, who compelled the tenants to pay their rents under pain of military execution. They ordered, under the like pain, three baxters of Leith to bake 600 bolls of their Winton wheat into biscuit for their army. Other 300 bolls were sold to six Canongate baxters at £6, 6s. per boll, although the current price was then £8 or £9 per boll. The tenants pursued the baxters for the current price of the whole wheat. The Leith baxters having proved force and fear, their defence was sustained. The Canongate baxters, while proving in general that the rebels ordered the Magistrates of Canongate to get bread baked, could not prove that there was a scarcity of wheat in the town, or that they were individually forced to buy the pursuers' wheat. They were therefore, 17th November 1748, found liable for the current price of the wheat.

In 1753 an Act was passed for deepening and enlarging the harbour; but as adequate means were not provided by the statute for defraying the expense, nothing was done. Yet a more extensive scheme was soon afterwards formed for enlarging the harbour; but as this implied additional charges on the shipping, it was successfully opposed by Leith.

In 1754 the population of Edinburgh and Leith was 57,195; in forty-two years, therefore, the population had increased by about 9000.

Dim glimmerings of sanitary science awoke the inhabitants of Leith, about the year 1770, to the fact that the state of their streets and their water supply, however suited these might be to the Middle Ages, were not adapted to the requirements of the latter half of the eighteenth century. In reference to this matter, Kincaid observes that the improvements in Edinburgh would appear to have stimulated the Leithers with a

similar disposition, though it rather appears that Leith stimulated Edinburgh. Campbell says: "It was not without much difficulty, and after many fruitless applications made from time to time, that they [the Edinburghers] were prevailed upon to make any improvements on the town." In 1771 an Act was passed for the "Cleansing and Lighting of the Streets of the Town of South Leith, the Territory of Saint Anthony's, and Yard Heads therewith adjoining, and for supplying the several parts thereof with Fresh Water." The village of North Leith, then quite distinct from South Leith, is omitted from the Act; it still formed part of the burgh of Canongate. Certain persons from among the Magistrates of Edinburgh, Lords of Session, inhabitants of Edinburgh and Leith, and members of the corporations of Leith, Commissioners of Police, were appointed to put the Act in execution, and for that purpose to levy a sum not exceeding sixpence in the pound upon the valued rent of Leith. "The great change upon the streets of Leith," Arnot says, "which has since taken place, shows that this Act has been judiciously prepared and attentively executed." Edinburgh received its first Act for a similar purpose in the following year, so that Leith took the lead in this respect.

The water supply was to be taken from all such sources as the inhabitants of Leith had right to, either by charter, grants, or immemorial possession, and also from other sources, within a mile of Leith, upon a suitable agreement with the owners. This, however, was not the first effort of Leith to obtain a water supply for the town. Maitland relates that "recently" (presumably before 1753) they had tapped Restahrig Loch, vulgarly called Lochend; but the water, besides

being, in Maitland's opinion, unsuitable for domestic purposes, was conveyed to Leith in so small a pipe that it was more likely to turn out a curse than a blessing. Jealousies, quarrels, and even pitched battles among the goodwives of Leith would result, he was afraid, from their efforts to obtain a supply of the precious but scarce fluid at the public wells. However, Lochend afterwards became the principal source of water supply for Leith.

The population of Edinburgh and Leith in 1775 numbered 80,300, an increase of about 23,000 since the last census in 1754.

In 1777 the accommodation of the harbour was extended by the erection of the short pier on the west side of the river, now called the Custom-house Quay. In the same year a "Plan of Leith" was issued "from an actual survey" by Alexander Wood, teacher of mathematics, and humbly dedicated to the Magistrates, the Commissioners of Police, and the four incorporations.

A few years previous to this time Great Britain had entered upon her long series of wars, which were to last, with little cessation, for forty years. Leith, being a seaport, naturally felt the effects of this state of matters, both in its shipping trade and in many lively episodes of which the town itself was the scene. The first of these of any consequence occurred in September 1778, when the Seaforth Highlanders, then quartered in Edinburgh Castle, were ordered to embark at Leith for foreign service. The regiment had only recently been raised, but a feeling of discontent had arisen, the men complaining that they had not received all their bounty money, that their pay was in arrear, and that they had been ill-

used by their officers. To crown their grievances, it was rumoured that they had been sold to the East India Company. The consequence was that when the Highlanders reached Leith Links they broke out into open mutiny, and refused to embark. Ultimately, half the regiment were induced to go on board the transport, but the other half, amounting to about five hundred men, stood firm. As the malcontents were well armed, it was not deemed expedient to take forcible measures with them, so that they had it all their own way. Probably the sight of Arthur's Seat recalled to them their native fastnesses, for they forthwith marched off to the top of the hill, which they determined to hold good until they received satisfaction. They remained in their airy but uncomfortable quarters for three days, plentifully supplied with provisions by the sympathising lieges, and were at last induced to descend, upon terms which satisfactorily removed all their causes of complaint. On the 29th the men embarked, with the utmost good feeling, for Jersey and Guernsey.

Another mutiny, unfortunately attended with more serious results, occurred in the following April. A party of fifty Highlanders, recruited for the 42nd and 71st Regiments, were marched to Leith for embarkation; but, having heard that it was intended to draft them into a Lowland regiment, they drew up on the Shore, near the Old Ship Tavern, and refused to go on board the transport. Two hundred of the South Fencibles, under the command of a major, were ordered to Leith, to carry the Highlanders prisoners to Edinburgh Castle if they still persisted in refusing to embark. Having surrounded the mutineers, the major advanced towards them, accompanied by a Highland serjeant, and pro-

ceeded to expostulate with them upon their folly. This harangue being in English, they did not understand a word of it, and the sergeant then tried his powers of persuasion in Gaelic, but the only answer was an intimation to the major to retire, otherwise he would be fired upon. At this crisis one of the Highlanders attempted to escape; he was seized by a sergeant of Fencibles, who was immediately run through the body by the comrades of the former. This was the signal for a conflict; shots were fired on both sides, and a captain of Fencibles was killed. The Fencibles were roused to fury, and volley upon volley was poured upon the mutineers, twelve of whom were killed and about twenty wounded. The Fencibles lost only two killed and one wounded, owing to the want of ammunition among the Highlanders. This regrettable incident might have terminated differently, had conciliatory measures been employed in the first instance.

In September of the same year (1779) Leith was thrown into a state of consternation by the advent in the Firth of Forth of the renowned Paul Jones, pirate, or United States naval commander—just as one is pleased to regard him. In 1775 he had made descents upon the English coast, and he now determined to pay Leith a visit. The following account is from Hutchison's *Traditions* :—

“On the 14th of August 1779 Jones sailed from the roads of Groix, accompanied by two privateers, which, however, deserted him before he reached the Scottish coast. From the 3rd to the 13th September the weather was stormy, and he continued to beat about the coasts of Scotland without being able to effect any of the objects he had in view. It was at this time that

he conceived the project of a descent on Leith, and the details will be best given in his own words when writing to Dr. Franklin.

“The winds continued to be contrary, so that we did not see the land till the 13th [Sept.], when the hills of Cheviot, in the south-east of Scotland, appeared. The next day we chased sundry vessels, and took a ship and a brigantine, both from the frith of Edinburgh, laden with coal. Knowing that there lay at anchor in Leith Road an armed ship of twenty guns, with two or three fine cutters, I formed an expedition against Leith, which I proposed to lay under contribution, or otherwise to reduce it to ashes. Had I been alone, the wind being favourable, I would have proceeded directly up the frith, and must have succeeded, as they lay then in a state of perfect indolence and security, which would have proved their ruin. Unfortunately for me, the *Pallas* and *Vengeance* were both at a considerable distance in the offing, they having chased to the southward. This obliged me to steer out of the frith again to meet them. The captains of the *Pallas* and *Vengeance* being come on board the *Bon Homme Richard*, I communicated to them my project, to which many difficulties and objections were made by them. At last, however, they appeared to think better of the design, after I had assured them that I hoped to raise a contribution of £200,000 sterling on Leith, and that there was no battery of cannon there to oppose our landing. So much time, however, was unavoidably spent in pointed remarks and sage deliberations that night, that the wind became contrary in the morning.’

“So confident was Jones of the success of his projected attack, that he had prepared a summons,

addressed to the Magistrates of Leith, which, fortunately, he never had an opportunity of despatching. As it is both an interesting and curious document, showing the terms on which (always unfortunate) Leith was to be spared from a fresh conflagration, we give it at full length :—

“The Honourable J. Paul Jones, Commander-in-Chief of the American Squadron now in Europe, etc., to the Worshipful the Provost of Leith, or, in his absence, to the Chief Magistrate who is now actually present and in authority there. Sir,—The British marine force that has been stationed here for the protection of your city and commerce being now taken by the American arms under my command, I have the honour to send you this summons by my officer, Lieutenant-Colonel de Chamillard, who commands the vanguard of my troops. I do not wish to distress the poor inhabitants; my intention is only to demand your contribution towards the reimbursement which Britain owes to the much injured citizens of the United States—for savages would blush at the unmanly violation and rapacity that has marked the tracks of British tyranny in America, from which neither virgin innocence nor hapless age has been a plea of protection or pity. Leith and its port now lies at our mercy; and did not our humanity stay the hand of just retaliation, I should, *without advertisement*, lay it in ashes. Before I proceed to that stern duty as an officer, my duty *as a man* induces me to propose to you, by the means of a reasonable ransom, to prevent such a scene of horror and distress. For this reason I have authorised Lieutenant-Colonel de Chamillard to conclude and agree with you on the terms of ransom, allowing you exactly half an hour's reflection before

you finally accept or reject the terms which he shall propose (£200,000). If you accept the terms offered within the time limited, you may rest assured that no further debarkation of troops will be made, but that the re-embarkation of the vanguard will immediately follow, and that the property of the citizens will remain unmolested. I have the honour to be, with sentiments of due respect, Sir, your very obedient and very humble servant, Paul Jones. On board the American ship-of-war the *Bon Homme Richard*, at anchor in the Road of Leith, September the 17th, 1779.'

"Appended to a copy of the foregoing there is the following note in the handwriting of the redoubtable Commodore :—

"*N.B.*—The sudden and violent storm which arose in the moment when the squadron was abreast of Keith Island (Inchkeith), which forms the entrance of the Road of Leith, rendered impracticable the execution of the foregoing project.'

"It will naturally excite surprise how Jones, although a stranger to Leith, was so accurately acquainted with the defenceless state of the town. . . . But this wonder will cease when we mention that he was furnished with the most minute details by a Kirkcaldy skipper named Andrew Robertson, whose vessel, the *Friendship*, had been captured by Jones. . . .

"The three ships, with which Jones ultimately reached the Scottish coast, had been so long in beating up the Firth, that a general alarm was excited, although great uncertainty prevailed as to whether they formed part of a French fleet, or were actually the ships of the dreaded 'pirate,' who was known to be on the coast.

Although an express reached Edinburgh on the 15th, announcing that the strange vessels had made several captures, no defensive preparations whatever appear to have been made, and the authorities seem to have cherished an unbounded reliance upon Providence. On the 16th the hostile ships were distinctly seen from Edinburgh, and, although the alarm increased, the stupor still continued. On the morning of Sunday the 17th, great crowds were assembled on the Fife coast, and on the pier and shore of Leith, to witness, in utter helplessness, the proceedings of the dreaded enemy. At one time the Commodore's ship was within a mile of Kirkealdy, and great was the alarm in the 'lang toon' lest it should attract the attention of the enemy. The then clergyman, the well-known Mr. Shirra, in place of proceeding to the church, where he would have had a meagre attendance, repaired to the sandy beach, and was soon surrounded by a numerous congregation. Here he prayed most fervently and earnestly, with that homely and familiar eloquence for which he was remarkable, that the enterprise of the 'piratical Paul Jones might be defeated'; which prayer, no doubt, received a hearty 'Amen' from all present. Scarcely was the prayer concluded, the hostile ships being then abreast of Inchkeith, between that island and the Fife coast, when the violent gale, so bitterly lamented by Paul Jones, suddenly arose. It was long the popular belief that this opportune gale was the immediate consequence of Mr. Shirra's powerful intercession.

"On the day following, whether because they thought Jones was fairly off, or that they dreaded his return, it is not for us to say, but it was only *then* that defensive measures were adopted at Leith. Some

old rusty cannon, the carriages of which had been rotting for years in the Timber Bush, were, by almost superhuman exertions, dragged across the old stone bridge at the Coalhill, and mounted on the ruins of the Citadel, forming a battery which must have been exceedingly dangerous—to those who ventured to work it. A few brass field-pieces, manned by artillerymen, were stationed at Newhaven, and the incorporated trades petitioned for arms, which were supplied from Edinburgh Castle. All this eleventh-hour zeal and bravery was doomed to be expended in vain. Jones was too experienced a tactician to return to the attack, when such ample time had been afforded to make preparations for resistance, and he carried off his squadron from the Scottish coasts to seek out some other point, equally defenceless, but where the winds might be more propitious.”

One consequence of the visit of Paul Jones was the erection of Leith Fort, begun that same year. The Martello Tower was built about 1809. Whether these “defences” could ever have defended Leith is a question which happily has never required a practical answer.

A short description of Leith, from the *Modern Universal British Traveller*, 1779, shows the difference between the Leith of to-day and the Leith of a century ago. “About a mile from the city is Leith, which may be called the warehouse of Edinburgh. It is divided into two parts by a small rivulet, over which there is a neat bridge of three arches. That part called South Leith is both large and populous: it has an exceeding handsome church, a jail, and a custom-house; but the streets are irregular, nor do any of the buildings merit particular attention. . . . That part called North

Leith is a very poor place, without any public building except an old Gothic church; there is a small dock capable of admitting ships of 150 tons. The harbour is generally crowded with vessels from many different parts; and from here to Kinghorn, in Fifeshire, the passage-boat passes every tide, except on Sundays."

In 1778 an Act was passed relieving the Roman Catholics in England from some of the penal disabilities under which they had until that time laboured. Apprehensions of a similar Act for Scotland threw the people of the latter country into a state of intense excitement and alarm. Meetings were held, and anti-Popery associations were formed, everywhere. In February 1779 rioting took place in Edinburgh and Glasgow, and several chapels and houses belonging to Roman Catholics were burned. In Leith the agitation against repeal was particularly active. On 4th February the South Leith kirk session passed a resolution to oppose repeal by every legal and constitutional means, and they expressed their readiness to join with other societies in Scotland in contributing their proportion of expenses for preventing the proposed Bill being passed into law. About the same time similar resolutions were passed by the St. John's, North Leith, and Associate kirk sessions, by the Leith Convenery, the Incorporation of Shipmasters, the Leith Porters, and by the Journeymen Coopers, etc.

In 1784 another proposal was made by the city to extend the port; but as this also meant additional dues on the shipping, Leith again made such a spirited resistance that the measure was abandoned. In 1788, however, an Act (28 Geo. III. cap. 58) was passed, being the first for improving the harbour. It empowered the Magistrates to build a wet dock to the extent of twenty

acres above the Coalhill, at the upper part of the old harbour, and near Leith Mills, and to construct the bridge connecting Tolbooth Wynd with North Leith, to remove the old one at the upper end of the Coalhill, and to borrow £30,000 for these purposes. Among the clauses of the Act was the following:—"The said Lord Provost, Magistrates, and Council, . . . are hereby authorised and required to make and state at an average sum the yearly free revenue arising from the port and harbour of Leith, *in all time coming hereafter*, in so far as it exceeds three-fourths of the aforesaid yearly average sum for five years past: in the first place, in payment of the expenses incurred in passing this present Act; and, in the next place, in payment and extinction of the sums so to be borrowed, with the interest which shall be due thereon." This clause was destined to be the cause of a long and bitter controversy, the question turning on the words italicised. The only immediate fruits of this Act were the construction of the Upper Drawbridge, and a few minor improvements on the streets leading to it. Yet another attempt to add to the importance of the port was made in 1791, when a joint-stock company was proposed for the purpose of cutting a canal between Leith and Lanark. This gigantic scheme, it is hardly necessary to say, came to nothing.

The growing prosperity of the town is evidenced by the establishment in 1792 of the Leith Banking Company. The Leith Bank was founded in 1805; their building in Bernard Street was erected in 1806; it is now the National Bank branch. About the latter date the British Linen Company planted a branch in Leith.

About this period a new arrangement was made in

One
Pound

One
Pound



THE EDINBURGH & GLENFORTH BANK

Bearers to pay to the Bearer on

ONE POUND

Demands of the Bank of Scotland

Wm. 131
269

Wm. 131
269

(EDINBURGH) 2 day 1889

(By order of the Board of Directors)

John James, Manager

Leith Banking Company



£100

1000



1000

1000

The Leith Banking Company

Promissory to pay, Henry, Glasgow, 1844

£100

£100

£100

£100

£100

£100

£100

£100

£100

(Is produced from a Note in possession of Wm. Graham, Esq., Union Bank, Leith.)

the appointment of bailies for Leith. Previously the Edinburgh Council had appointed anyone they thought fit, but about 1792 it was settled that the Council should name only those persons who should be recommended for the office by the retiring bailies. This arrangement gave great satisfaction in Leith, as thereby a certain measure of home rule was secured, the bailies being Leith men, who had the interests of the town at heart. The reversion to the old plan in 1826 was the death-knell of Edinburgh's jurisdiction.

In the closing years of the century a wave of patriotism swept over the town. In 1795 the Royal Leith Volunteers were established, and received their colours on the Links on 26th September. Not to be outdone by the landmen, in 1797 one hundred and twenty Leith ship captains offered to serve the country in any naval capacity suitable to their position.



LEITH HALFPENNIES.

CHAPTER XVI

MINOR EVENTS DURING THE EIGHTEENTH CENTURY

IN 1702 the accidental explosion of thirty-five barrels of gunpowder in Leith created great terror and havoc, caused damage to property estimated at £36,936 Scots, and resulted in the death of eight persons. Owing to this, a piteous petition was presented to the Lords of Council, praying that a charitable collection be made throughout the kingdom. This was probably done in many of the kirks in Scotland, and we find, under date 25th October 1702, in the *Annals of Banff*, "Collected for the distrest inhabitants of Leith £12, 7s. Scots." Mindful, very likely, of the adage that one good turn deserves another, in 1737 Provost Innes of Banff was appointed "to go to Edinburgh, Leith, etc. to get what they can by a voluntary contribution for carrying on their harbour." What the worthy provost got, or whether he got anything at all, is not recorded.

The following curious warrant, of date 1713, is found among some of the papers preserved in the Council Chambers :—"Fforsuameikleas, by the verdict of ane assyse, returned upon this twenty-fifth day of March, against Jean Ramsay, prisoner in the Tolbooth of Edinburgh, that part of the lybell agt her, anent her dragging a weak, sickly, and infirm man out of a bed in

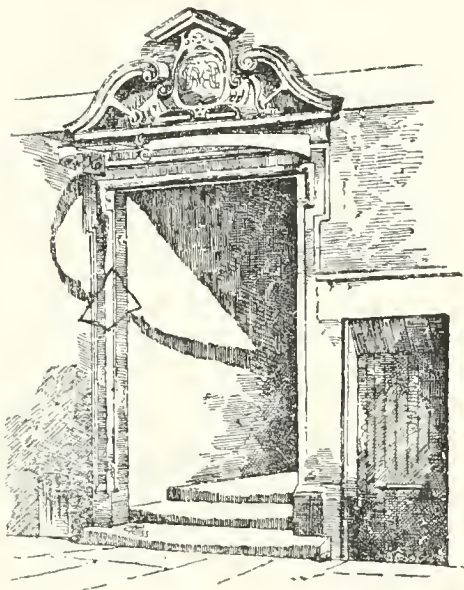
Isobel Lesly's house, upon the chest and floor, and yrby wounded and bled, and that the said weak and infirm man was dead about eight or nyne of the clock next morning, is found proven : Therefore, she, the said Jean Ramsay, is by us, the Lord Justice Clerk and Commissioners of Justiciary, ordained to be caryed, by the hand of the comon hangman, from the Tolbooth of Edinburgh to the weigh-house thereof, upon Wednesday the first day of Aprile next to come, betwixt the hours of eleven and twelve in the forenoon, and thence to be scourged by him to the Nether Bow of the said burgh, receaveing three stripes at the said weigh-house, three at the Lucken-booths, and three at the Neather Bow ; and immediately thereafter, ordain her to be caryed to the Tolbooth of Leith, there to remain till ffryday the third day of the said moneth, and then, betwixt the hours of eleven and twelve in the forenoon, to be caryed, by the hand of the said comon hangman, from the said Tolbooth to the door of Isobel Lesly's house in Leith, and there to be scourged to the Shoar," etc. The warrant is endorsed, "Warrant for putting the sentence in execution agt Jean Ramsay.—Leith, the third April 1713, the above warrand was put in execution."

The Duke of Gordon, who had defended Edinburgh Castle in 1688–89 against William of Orange, died at his residence in the Citadel of Leith in 1716.

About the year 1720 we find that branding criminals on the cheek with a hot iron was much in practice ; at least it was a very common threat in certain cases, as we find many such entries as the following :—" I, Duncan M'Intyre, doe hereby enaet myself never to be seen within the town of Leith, or priveleges thereof, under the pain of being burnt on

the cheek and whipt through the town of Leith by the hands of the hangman."

One of the finest specimens of seventeenth or early eighteenth century architecture still surviving in Leith is that of a doorway on the Shore. The letters forming



the monogram are I.G. and B.M. or M.B., which might be the initials of John Gladstone and his wife. The date, 1711, is carved on the pediment.

In 1721 the Edinburghers imported from Holland a crane for the use of the harbour of Leith. This, however, was not the first crane used in

Leith, as a rude carving, over an archway in Tolbooth Wynd, dated 1678, shows. Twenty-seven years after the introduction of the Dutch crane, we find that there had been an amazing accession of mechanical skill, as appears from the following in the *Scots Magazine* for 1748:—
 "On Thursday, the sixth of October, John Duncanson, a smith, belonging to Moyes's manufactory at Leith, upon a wager, did wheel up from Leith to Edinburgh, within the Netherbow-port, the weight of five bolls of meal, being 40 Amsterdam stones, in one of the two-wheeled barrows made at that manufactory. This is a

prodigious improvement on wheel-carriages; and if so small a machine as a wheel-barrow with one man is capable of carrying such a weight, what may be expected from carts properly improved, drawn by two or more horses? Sure such improvements deserve the greatest encouragement."

Leith was the scene of several "affairs of honour"; and two, probably on account of their tragical results, have been recorded. In 1729 a duel was fought with swords on the Links between the Hon. Alex. Elphinstone and Lieutenant Swift of the King's Own. The latter was mortally wounded. The other was in 1789, and was an affair of peculiar ferocity. It was also fought on Leith Links, where Seafield Baths now stand, and was between a Mr. Francis Foulke, of Dublin, and an army officer whose name is given as Mr. G—. Firing with pistols twice without effect, they fired a third time, and Foulke was shot through the heart.

Owing to the low state of medical science in former times, quackery was then more rampant than it is now; and every ill that flesh was heir to, and a good many that it was not, were advertised to be cured by the impostors in the healing art. About 1730 one of these established himself in Leith. In a handbill, preserved in the Advocates' Library, and without date, he informs the public that "there is to be found in Alexander Hayes' Close, over against the entry to Babylon, betwixt the Tolbooth and the Shore, a Bath Stove, set up by William Paul, after the fashion of Poland and Germany, which is approved by all the doctors of physie and apothecaries in Edinburgh and elsewhere—a sovereign remedy in curing of all diseases, and preventing sickness of both old and young, with the help of doctors of physie thereto. This bath is able to give

content to fourscore persons a day. The diseases which are commonly cured by the said bath are these, the hydropsie, the gout, deafness, the itch, sore eyes, the cold, unsensibleness of the flesh, trembling axes [*sic*], the Irish ague, cold defluxions inwardly, the melancholick disease, the colick, and all natural diseases that are curable, *probatum est*. This bath is to be used all times and seasons, both summer and winter, and every person that comes to bathe must bring clean linens with them, for their own use, especially clean shirts. All the days of the week for men, except Friday, which is reserved for women and children." We suspect that Master Paul, with all his knavery, possessed an uncommon amount of shrewdness, and calculated that his "system" of baths, clean linen, and especially *clean shirts*, would have a marvellous effect upon our unwashed forefathers; for it is a fact that cleanliness was not a virtue to which they were particularly prone.

St. John's Church, the oldest of the Leith churches, except the parish churches of South and North Leith, was erected in 1773, and was seated for 1500. It was designed as a chapel-of-ease to South Leith Church, as the population had increased to such an extent that the latter could not hold all its congregation. It cost £1700, of which £300 was raised by subscription. To liquidate the debt as fast as possible, no minister was settled for the first two years. During that period the seat rents reduced the debt to £1100, and in November 1775 the first minister was ordained.

In 1784 a man named James Tytler ascended in a balloon from Comely Gardens. He was a poor man, who supported himself and his family by the use of his pen. He conceived the idea of going up in a balloon on the Montgolfier principle, but, finding that he

could not carry a fire-stove with him, in his desperation and disappointment he sprang into his car, with no other sustaining power than a common crate used for packing earthenware. His balloon came suddenly down in the road near Restahrig. "For a wonder, Tytler was uninjured; and though he did not reach a greater altitude than three hundred feet, nor traverse a greater distance than half a mile, yet his name must ever be mentioned as that of the first Briton who ascended with a balloon, and who was the first man who so ascended in Britain."

In 1788 the Leith Humane Society, for the recovery of persons apparently drowned, was founded. It was incorporated, along with other independent charitable institutions, with Leith Hospital in 1850.

In the year 1793 the Edinburgh Asylum for the Blind was founded by Dr. Johnston, incumbent of North Leith, a notice of whom will be found elsewhere. Dr. Johnston at an early period of his life felt a deep sympathy for the wants of the blind. An idea struck him, of getting an asylum founded for the industrious of this class of sufferers; and no one who knew the energy of the Doctor's character need be told that whatever he undertook he carried through.

The Society for Destitute Sick was founded in Leith in 1794. It was a charitable institution for the purpose of affording relief to the helpless sick of the town, and during the hundred years it has been in existence it has supplied the wants and added to the comforts of many thousands of the indigent sick and their families; while, by the friendly counsel and Christian instruction of its self-denying visitors, it has been instrumental in carrying light and consolation into many a dark and cheerless dwelling. It is sup-

ported by annual subscriptions, donations, and legacies, and, from the active judicious manner in which its affairs are managed, it well deserves the confidence and support of those who are able to give to the poor and needy in their time of trouble.



TABLET FROM A HOUSE IN VINEGAR CLOSE. THE ARMS ARE THOSE OF HENDRY SMITH, VINEGAR MAKER, AND HIS WIFE. THE DATE OF THE TABLET MAY BE ASCRIBED TO 1710.

CHAPTER XVII

WORTHIES OF THE EIGHTEENTH CENTURY

THE AUTHOR OF "DOUGLAS."

JOHN HOME was born in the year 1722, in Quality Street, in a house now replaced by new buildings, three doors from Bernard Street. Educated for the Church, he was licensed in 1745 by the Presbytery of Edinburgh. In the same year he became a volunteer in a corps formed for the defence of the city against Prince Charles Edward. With this corps the reverend volunteer served in the Hanoverian interest at the battle of Falkirk, where he was taken prisoner and committed to the castle of Doune, from whence he made his escape with others. The adventure is quaintly narrated by Home in his history of the rebellion, without leading the reader to infer, unless from the circumstantial strictness of detail, that he formed one of the party. At Alloa they were received on board the *Vulture* sloop-of-war, Captain Falconer, and afterwards conveyed in his barge to Queensferry, from whence Home returned to Leith. Subsequently he became the associate and friend of Drs. Robertson and Blair, David Hume, Adam Smith, Adam Ferguson, and the other eminent *literati* of the city ; and, in later times, of

Henry Mackenzie, the well-known author of *The Man of Feeling*, to whom we are indebted for an account of his life and writings. He was inducted as minister of Athelstaneford, in East Lothian, in 1746, his immediate predecessor being Robert Blair, the author of *The Grave*; and here he produced his first drama—a tragedy founded on the death of Agis. In 1749 he offered it in London to Garrick for representation at Drury Lane, but the offer was declined. “In 1755,” says Mackenzie, “Home set off for London from his house in East Lothian with the tragedy of *Douglas* in his pocket. His habitual carelessness was strongly shown by his having thought of no better conveyance for this MS. (by which he was to acquire all the fame and future success of which his friends were so confident) than the pocket of the greatcoat in which he rode.” The tragedy was, however, rejected by Garrick, “with the mortifying declaration that it was totally unfit for the stage.” An attempt was afterwards made to bring out the tragedy in Edinburgh, and, according to Arnot, it was there, under the management of Digges, performed for the first time on the 14th of December 1756. The Presbytery and Church now became alarmed, and John Home was perhaps saved from deposition by resigning, in June 1757, his charge at Athelstaneford. The tragedy had, for the age, an unprecedented run, and long maintained its popularity—perhaps, admitting its high poetry and elevated sentiment, more from national associations, and as forming part of the more pleasing of our schoolboy exercises, than from the possession of very decided dramatic power. Home afterwards proceeded to London, where he was warmly patronised by Lord Bute, and subsequently enjoyed the friendship of David Garrick. He died in 1808,

and was buried in South Leith Churchyard, a tablet marking the spot.

HUGO ARNOT,

the historian of Edinburgh, was the son of a Leith shipowner and merchant, and was born on the 8th December 1749. While still young he inherited, through his mother, the estate of Balcormo in Fife, and changed his name to Arnot, his original name being Pollock. Educated for the law, he entered the Faculty of Advocates in 1772, but unfortunately was very much handicapped in his professional career by chronic asthma, the effects of a severe cold which he had caught at the age of fifteen. He was a most conscientious lawyer, and it is stated that he never accepted a brief unless convinced that he was on the side of justice and legality. Among many anecdotes told of him is one worth repeating. Once he was asked to take up a case which it was but too apparent fulfilled neither of the conditions of justice nor legality. "Pray," said he to his would-be client, "what do you suppose me to be?" "Why," answered the astonished litigant, "I understand you to be a lawyer." "I thought, sir," said Arnot sternly, "you took me for a scoundrel!" The abashed client fled, to seek a less scrupulous limb of the law.

Probably Arnot's enforced leisure, owing to his asthma, induced him to turn his attention to literature; and the first-fruit of his activity in this direction was his well-known *History of Edinburgh*, published in 1779. This work, a monument of research and industry, still remains an authority on the subject. Another

important work was *A Collection of Celebrated Criminal Trials in Scotland*, published in 1785. This was destined to be his last book, for the asthma, which had been making rapid advances, now took a fatal turn, and he died 20th November 1786, at the comparatively early age of thirty-seven. He was buried, in a tomb designed by himself, in South Leith Church-yard. Arnot was a public-spirited man, and took much interest in local affairs, promoting, by his energy, many public works. He was the means of delaying, for several years, the formation of the modern Leith Walk, because the authorities proposed to defray the expense by a toll upon traffic. It is said that he also delayed the construction of the North Bridge, for a similar reason. Arnot belonged to the Scottish Episcopal communion, and was, as were most of those who belonged to that Church at this period, a Jacobite.

A NEGLECTED LEITH GENIUS.

At the foot of Leith Walk there was born, in 1755, Andrew Macdonald, an ingenious but unfortunate dramatic and miscellaneous writer, whose father, George Donald, was a market gardener there. He received the rudiments of his education in the Leith High School, and early indicated such literary talents that his friends had sanguine hopes of his future eminence. With a view to his becoming a minister of the Scottish Episcopal communion he studied at the University of Edinburgh, where he remained until 1775, when he was put into deacon's orders by Bishop Forbes, of Leith. On this account, at the suggestion of the latter, he prefixed the syllable "Mac" to his name. He now entered the family of Oliphant of Gask, as

tutor, after which he became pastor of an Episcopal congregation in Glasgow, and in 1772 published *Velina: a Poetical Fragment*, which is said to have contained much genuine poetry. His next essay was *The Independent*, which won him neither profit nor reputation; but having written *Vimonda: a Tragedy*, with a prologue by Henry Mackenzie, he came to Edinburgh, where it was put upon the stage, and where he hoped to make a living by his pen. The tragedy was received with great applause, but won him no advantage; and his literary friends now deserted him. Before leaving Glasgow he had taken a step which they deemed alike imprudent and degrading. This was his marrying the maid-servant of the house in which he lodged. Thus his literary prospects, so far as regarded Edinburgh, ended in total disappointment; so, accompanied by his wife, he betook him to London. There the fame of *Vimonda* had preceded him, and Colman brought it out with splendour to crowded houses in 1787 and 1788; and now poor Macdonald's mind became radiant with hope of affluence and fame, and he had a pretty, little residence at Brompton, then a sequestered place.

He next engaged with much ardour upon an opera, but made his subsistence chiefly by writing satirical papers and poems for the newspapers, under the title of "Matthew Bramble." At last this resource failed him, and he found himself on the verge of destitution. The elder D'Israeli writes of him thus in his *Calamities of Authors*: "It was one evening I saw a tall, famished, melancholy man enter a bookseller's shop, his hat flapped over his eyes, his whole frame evidently feeble from exhaustion and utter misery. The bookseller inquired how he proceeded with his tragedy. 'Do not talk to

me about my tragedy! Do not talk to me about my tragedy! I have, indeed, more tragedy than I can bear at home,' was his reply, and his voice faltered as he spoke. This man was 'Matthew Bramble'—Macdonald, the author of *Vimonda*, at that moment the writer of comic poetry!" D'Israeli then refers to his seven children, which, however, is an error, as he had but one child, whom with his wife he left in utter indigence, when, after the privations to which he had been subjected had a fatal effect on a naturally weak constitution, he died in 1788, in the thirty-third year of his age. A volume of his sermons, published soon after his death, met with a favourable reception; and in 1791 appeared his *Miscellaneous Works*, in one volume, containing all his dramas, with "Probationary Odes for the Laureateship," and other pieces.

ROBERT GILFILLAN,

the poet, born in Dunfermline 7th July 1798, was long resident in Leith, and died there in 1850, aged fifty-two. He was well known as a poet of more than average ability. A new and large edition of his poems was published in 1830 by William Blackwood & Sons, Edinburgh. Many of his songs were set to music by Finlay Dun, R. A. Smith, Peter M'Leod, and others, and were published by Paterson & Roy and Wood & Company, attaining a good deal of celebrity. His song of the tax-gatherer, in which he portrays Peter M'Craw, was well known in Leith about fifty years ago. In 1836 Gilfillan was appointed by the Grand Lodge of Scotland Grand Bard to the Craft for Scotland, and many a good song he indited and sang to the honour of the Craft on high festival

days. His songs at many Burns's birthday festivals were long well known. Gilfillan enjoyed the acquaintance and friendship of the Ettrick Shepherd. He dedicated a song to him, which was sung at a dinner given to him in Peebles, in August 1834, when Professor Wilson presided. He also wrote a dirge to his memory, which was published to music by Finlay Dun. He was for a considerable time clerk in a wine merchant's office in Leith. In 1837 he was appointed collector of poor-rates, successor to Peter McCraw. He died in 1850, and was buried in South Leith Churchyard.

MINOR LIGHTS.

In 1764 Sir John Gladstone, the father of William Ewart Gladstone, was born in Leith. He wrote several political pamphlets. He died in 1852.

In 1771 the Rev. John Armstrong was born. He wrote *Juvenile Poems*, etc. Under the pseudonym of "Albert," he published *Confidential Letters from the Sorrows of Werther*, and *Sonnets from Shakespeare*.

In 1774 Robert Jameson was born in Leith. He died in 1854. He was Professor of Natural History in Edinburgh University, and a distinguished member of various literary and scientific societies, and a voluminous writer on geology, etc. His bust in marble is placed in the University Museum.

Michael Russell was born in 1781, and died in 1848. He was appointed incumbent of St. James's Chapel, Leith, in 1809, and subsequently was Dean of the Diocese of Edinburgh, and Bishop of Glasgow and Galloway. He was the author of the *Connection of Sacred and Profane History, History of the Church*

of *Scotland*, several works for the Cabinet Library and a host of magazine articles.

John Fleming, D.D., born in Leith in 1785, was Professor of Natural Science, New College, Edinburgh, and a writer on geology and cognate subjects. He died at Seagrove House in 1857.

In Williamson's *Directory of Edinburgh and Leith from 1786 to 1788*, we find James Gladstone, schoolmaster, North Leith, and Thomas Gladstone, flour and barley merchant, Coalhill. James was uncle, and Thomas father, of Sir John Gladstone, Bart., of Fasque.

D. Campbell was born about 1789. He was the author of a *History of Leith* and *Sketches of Character*. He was several years a mercantile clerk in Leith.

Thomas Ingram was born in 1790. He wrote various well-known arithmetical works, and was at one time a schoolmaster in the town.

In the same year David Vedder was born. He died in 1854. He wrote *Orcadian Sketches*, *Poems*, etc. He was for many years an officer of Customs at the port.

DAVID TYRIE, A LEITH SPY AND TRAITOR.

Tyrie commenced his career as an apprentice to a grocer at Leith ; but before he had completed three years of his apprenticeship he was dismissed by his employer, on account of some gross act of negligence. Determined not to remain idle, Tyrie accepted a situation as clerk to the pressgang at Leith. His zeal in this new office speedily made him obnoxious to those who were liable to the tender mercies of the pressgang, and, his situation becoming both unpleasant and dangerous, he suddenly decamped and entered on board a man-of-war. This employment being as

little to his liking, he left his ship at London and obtained a situation as clerk to a law stationer. In this capacity he gave great satisfaction to his employer, whose entire confidence he obtained. Although Tyrie continued in this situation for five or six years, he appears to have been constantly planning schemes by which a speedy fortune was to be achieved, and he ultimately left the stationer to carry into operation a plan which he had projected for an extensive distillery. Although this proved a failure, it was the means of getting him into a mercantile partnership, which for a time proved eminently successful. At this period of his career he paid a visit to Leith, and astonished his former companions by the display of his wealth. His business abilities were so highly esteemed that, it is stated, Lord North frequently consulted him on the re-coinage of the gold, as to the best mode of withdrawing the money in circulation in the country and bringing it to London; but the concern with which he was connected became bankrupt, and Tyrie was again thrown on the world penniless.

It is almost impossible to follow him through the various occupations which he adopted in the course of the next few years. He stood as candidate to represent Hendon in Parliament; then became a lottery-office keeper, and, after a variety of metamorphoses, settled down into an electioneering agent, in which capacity, it was generally believed, he contrived to cheat all parties. From some influence which he obtained in this capacity he was enabled to procure a situation in the Navy Office at Portsmouth. Tyrie was now in a situation of trust and one of considerable emolument, and had he been content to act the part of an honest man he was secure of a com-

petence for life. He had, however, been too long engaged as a speculator to remain idle here. It was in the very heat of the war, when it occurred to Tyrie that, if he could contrive to open up a communication with the French Government, he might drive a very lucrative trade in conveying to it secret intelligence regarding the equipment and destination of our fleets, for which his position afforded every facility; and the idea was no sooner conceived than it was carried into execution. To the surprise and astonishment of the British authorities, their most secretly planned expeditions were discovered to be equally well known to the enemy. Such a state of things could not be permitted to exist, and accordingly every effort was made to detect the delinquent. Suspicion does not appear to have fallen on Tyrie, but at length a bundle of papers, which he had entrusted to a female with whom he had cohabited, fell into the hands of a gentleman in Westminster, who at once transmitted them to the Secretary of War, whereupon Tyrie was arrested and brought to trial at Winchester on the 10th of August 1782. When in Newgate, previous to his trial, Tyrie had arranged a plan for his rescue on the way to Winchester; but the party to whom he had communicated it was arrested for forgery, and the letter being found on him revealed the entire plot.

Tyrie was tried, and on the clearest evidence was found guilty, and condemned to undergo the punishment awarded to traitors in those days. The sentence was, "That you, David Tyrie, are to be led to jail, and from thence are to be drawn upon a hurdle to the place of execution, and then hanged by the neck; and being alive, are to be cut down and your bowels taken out and burned, and your head to be cut off, and

your body divided into four quarters; your head and quarters to be disposed of as His Majesty shall think fit." A week before the time fixed for his execution Tyrie had nearly effected his escape, in concert with other prisoners, from Winchester jail. On the 24th of August he was conveyed to Portsmouth, and delivered to the Mayor, after which he was drawn on a sledge to the place of execution, where his sentence was carried into effect to the very letter.

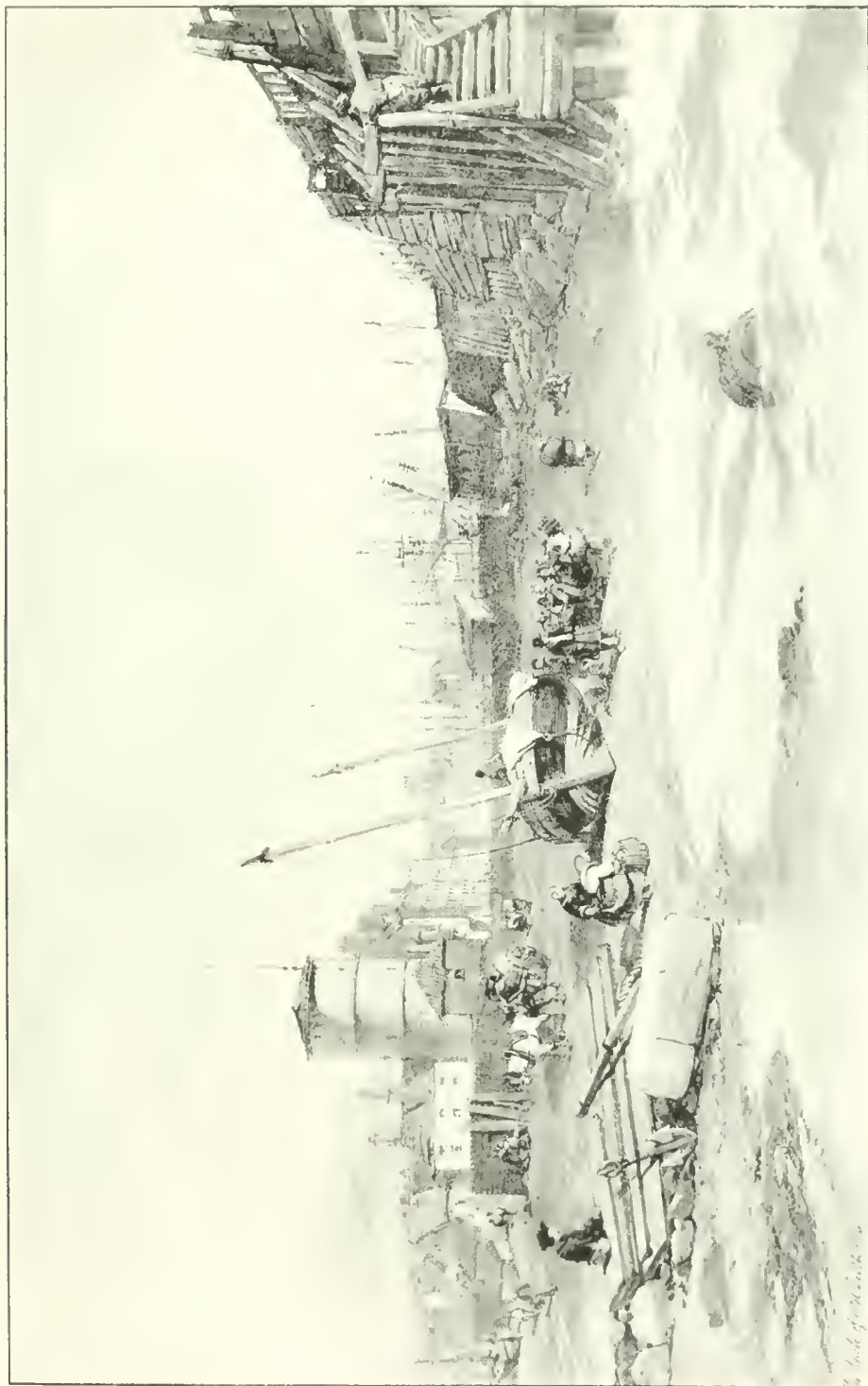


THE ABOVE IS A STONE BUILT INTO THE WALL IN STOREY'S ALLEY.
ITS HISTORY IS UNKNOWN.

CHAPTER XVIII

THE DOCKS, 1798-1836

THE increase of the trade of Leith towards the end of the eighteenth century rendered it necessary that extensive additions should be made to the harbour without further delay. As already mentioned, the only fruits of the Act of 1788 were the construction of the drawbridge and a few minor improvements. In 1798 the Magistrates procured another Act to enable them to complete the Coalhill Dock, and for this purpose power was granted to them to borrow £40,000; but this scheme was abandoned, and the £40,000 were not borrowed, for meanwhile grander schemes had been maturing. John Rennie, the famous engineer, was employed in 1799 to examine the ground, and to furnish designs of docks and extended piers on a scale somewhat proportioned to the extent of the emergency. The gravamen of his report was, that no permanent and uniform depth of water along the harbour or gut of the river could be obtained, and no achievement towards the extinction of a shifting bar could be effected, except by carrying a pier or weir on the east side of the channel quite across the sands into low water, but that by this means three, or possibly four, feet of additional depth of water might be obtained. His plan of building a suite of docks to the westward, with



THE BACK OF OLD LEITH PIER.

By J. M. W. Turner

a deep-water entrance at Newhaven, was adopted, and in June 1799 an Act (39 Geo. III. cap. 44) was passed, authorising the construction of wet docks, new piers, quays, and dry docks, from the harbour of Leith, extending westward to Newhaven; and also the construction of such piers, basins, etc., as might be necessary for improving the entrance to the said docks at Newhaven. The Act also authorised the making of a lower drawbridge from Bernard Street to North Leith, a bridge over the Water of Leith at Leith Mills, and a street connecting the wet docks with the said bridge and Leith Walk. For the purposes of the Act £80,000 were authorised to be borrowed on the security of the rates. Here it may be convenient to quote other Acts, passed from time to time, authorising the raising of further sums for the prosecution of the work.

Act 39 & 40 Geo. III. cap. 57, June 1800, authorising the Barons of Exchequer of Scotland to advance £25,000 on security of the rates, at 5 per cent.

Act 45 Geo. III. cap. 32, May 1805, authorising the borrowing of £80,000 additional.

Act 45 Geo. III. cap. 114, July 1805, authorising the Treasury to advance £25,000 on security of the rates and duties.

Act 53 Geo. III. cap. 33, authorising the borrowing of £80,000 further, on security of the rates.

There was also an Act, 47 Geo. III. sess. 2, cap. 3, July 1807, continuing or renewing the authority for constructing a drawbridge in the line of Bernard Street, the widening of that street, and the opening of a new street from the west end of the drawbridge, along the south front of the warehouses on the land side of the wet docks.

Two wet docks, each 250 yards long and 100

yards wide, were, with two graving docks on the north side, commenced in 1800 and finished in 1817, and were protected from the sea by a strong retaining wall. A third and much larger dock on the west, designed to reach nearly to Newhaven, and all kindred matters which accorded with the magnificence of Rennie's designs and of the intentions of the Corporation, were thrown into abeyance during that eminent engineer's life, by a total failure of funds. The works completed had swallowed up all the money which the Corporation had been empowered to raise. The statement of the expenditure stands thus in the city books :—

Wet docks	£175,086
Areas for building and purchases	80,543
Dry docks	18,199
Drawbridges	11,282
Martello Tower, etc.	17,180
	<hr/>
	£302,290

Owing to the failure of funds, nothing was done for improving the entrance to the port, which thus still remained shallow and dangerous. In 1818, however, a short pier or breakwater was extended on the eastern side of the fairway, which had the effect of deepening it upwards of two feet as far as the pier extended. This was done at the suggestion of Mr. John Paterson, the engineer who superintended the construction of the docks; Rennie, in the same year, also recommended this slight improvement of the access, for the bar still remained. In this year also the Corporation procured estimates for completing Rennie's plan of extending the docks westward, with

a deep-water entrance at Newhaven. The cost was calculated at £322,565; and an alternative plan of a sea-wall, to form a canal from Newhaven to the docks, was estimated at £192,000. But either of these sums, with the £300,000 already spent, was too much for the already embarrassed finances of the city, or any revenue, under whatever name, the Magistrates could possibly extract from the now overtaxed port, and the scheme never advanced beyond paper.

The existing entrance to the harbour was a source of perpetual grievance, always demanding attention, and no amount of tinkering resulted in any permanent improvement. In 1822 Mr. George Crichton suggested the extension of the pier to the Martello Tower. His suggestion was referred to Mr. James Walker, an eminent London engineer, who objected to Crichton's line of direction, and proposed carrying the extension to about 500 yards east of the tower. Messrs. Crichton and Walker, however, overlooked the necessity for a western breakwater. Mr. Robert Stevenson pointed out the necessity for a covering pier, and Mr. W. Chapman, a Newcastle engineer, said, in 1824, that a single pier would make the harbour much more unsafe than it was. Mr. Chapman was employed to make surveys and plans, and he proposed the extension of the east pier by 1500 feet to a point about 100 yards west of the Martello Tower, and a breakwater, 1300 feet long, springing from the north-western bastion of the dock wall, running E.N.E. towards a point 200 feet distant from the east pier. The space thus enclosed was triangular in form, and added to the harbour nearly twenty-three acres, while the channel along the inside of the eastern pier was estimated to acquire an additional depth of from two to three feet

Mr. Chapman's plans were adopted, and the eastern wooden pier was begun on the 15th August 1826. The first pile was driven by Lord Provost Trotter, attended by the Magistrates and Town Council of Edinburgh, and the Magistrates of Leith, Messrs Burn, Hardie, and Scarth. A general holiday was kept in Leith, and the ceremony was witnessed by a great assemblage of spectators. The pier was finished in 1829. The cost of both piers was £47,000. They were built in terms of two Acts of Parliament, with the circumstances leading to the passing of which it is now necessary to deal.

After the completion of the docks the Town Council of Edinburgh seem to have so completely rested from their labours as to neglect to keep the works, and the harbour generally, in a proper state of repair: for instance, the sum expended on the harbour in 1824 was only £85. Campbell says: "They [the Town Council] appear to have conceived that if any fatherly care over the interests of the port was due from them in time to come, it must be evinced in the way of occasionally clapping on an additional charge on its shipping and merchandise. This sort of tenderness they have now carried so far, that we do believe that nothing but their inability to find or invent names for further imposts, and not at all from any foolish conscientious feeling,—to which they stand acquitted of all pretensions,—prevents Leith experiencing a little more of their kindness. The charges already levied, and now (1827) levying, on the shipping of Leith, are so numerous, that every possible term that man can conceive—and some of them are beyond the conceptions of ordinary men—has been employed to distinguish them. Single, double, triple, and compound epithets, each properly

charged with some sort of exaction, are hurled, like so many hand-grenades, on board of every unfortunate vessel that enters the port. Amongst these we have berthage, flag lights, bills of cargo, entry dues, etc. etc., *ad infinitum*, and in some cases, we suspect, *ad libitum* also." These duties or charges were: on the ship—beaconage and anchorage, berthage, flaggage, harbour pilotage, dock dues, entry dues, ballast dues; on the cargo—shore dues, merk-per-ton, prime-gilt, bulkage, rowage, cargo bills, pontage dues. Some of these charges are explained by their titles, others may require a word of explanation. Beaconage and anchorage were practically the harbour dues exacted from vessels before the docks were built, sanctioned by the Act of 1788. Berthage was exacted from every vessel of ten tons and upwards, and was paid to the harbour-master. Flaggage was a charge for the person who hoisted the flag or put up the light at the pier. Berthage and flaggage, however, were found, about 1830, to be illegal exactions, and fixed salaries to the respective officials concerned were substituted. Ballast dues were for taking in and discharging ballast: for the first the charge was 1s. 3d. per ton; for the second, 7d. per ton. Merk-per-ton (1s. 1d. per ton), charged on certain goods imported, went to the clergy of Edinburgh, and was sanctioned by Act of the Scottish Parliament in 1661, and continued by the Acts of 1788 and 1826. Prime-gilt (1½d. per ton on goods imported) was intended for the poor and indigent sailors of Leith, and was administered by the Trinity House. Pontage (1½d. per ton on all goods imported), sanctioned by the Acts of 1807 and 1826, was intended to defray the expense of building the bridges and widening the streets, etc. There were other dues, such

as dry-dock dues and shed dues, which were only occasional.

These various charges pressed so heavily on the shipping trade that in the beginning of 1824 the "London, Leith, Edinburgh, and Glasgow Shipping Company," who then paid nearly a sixth of all the dues levied at Leith, took occasion to remonstrate with the Town Council, and to point out the illegality of certain of them. They complained particularly of the entry dues, which, on the strength of the Dock Act of 1807, were levied on vessels on every voyage—unlike the dock dues, which were only charged on the first eight voyages made in each year. This charge, on vessels which left the dock for the purpose of discharging part of their cargo on the quays of the old harbour or into vessels lying there and again returning to the dock, was levied on the pretence that additional trouble was thereby given in opening and shutting the dock gates. Curiously enough, the Corporation admitted that it was doubtful if the Act authorised the charge, and offered to refund the proportion of the dues exacted after the first eight voyages of the company's vessels; but they accompanied this offer with threats. They stated that it was necessary to make effectual every farthing they could justly demand for the payment of the interest on the money borrowed, "and if the demand for a return is persisted in, it will be their duty to go to Parliament for an amendment of the Act, or to do away altogether the exemption (in dock dues) now existing in favour of vessels having made eight voyages." In answer, the company insisted on the refunding of the entry dues, and intimated that they should communicate the correspondence between themselves and the Corporation to the traders of Leith, so that they might be on their

guard against the threatened measures affecting their interests. The matter was accordingly taken up by the other shipping concerns of the port, and on 3rd April 1824 a very strong remonstrance was addressed to the Town Council of Edinburgh by the Shipowners' Society, referring not only to the exorbitant charges levied at Leith, but to the neglected state of the harbour, which frequently occasioned heavy loss and detention to the shipowners.

The quarrel with the Shipowners' Society probably precipitated the launching of a scheme which the Corporation had had for some time in contemplation—namely, the sale of the docks to a joint-stock company. The principal reasons, gathered from the statements of the Corporation at different times, were, that the interest on the borrowed money pressed too heavily, and that the Town Council were unable to manage the docks themselves. As to the latter reason, it is sufficient to say that the shipowners and traders of Leith quite agreed with the Corporation, and, for once at anyrate, they were in cordial accord. With the first reason the case was different. As to whether the interest *ought* to have pressed too heavily on the Corporation there was a divergence of opinion, which very quickly developed into an acrimonious controversy between Leith and Edinburgh. No regular returns were at that time published of the revenues of the port and of the city, but, so far as could be ascertained, in 1824 the shore dues, including merk-per-ton and harbour dues, were supposed to amount to about £12,000, and the dock dues to over £7,000. The contention of the Corporation was that the first belonged absolutely to the city of Edinburgh, secured to it by various Acts of Parliament, and that the second should

bear all the burden of interest and upkeep of the docks. The argument of Leith, as set forth by Councillor Mitchell in his "Report on the Affairs of the Dock and Harbour of Leith" (1835), was that there was "manifest injustice in exempting the city revenue collected at the port (that is, shore dues, etc.) from contributing, at any time or in any shape, towards the building of the docks; so that, while a large apparent debt was accumulating against the dock revenue, a continually increasing amount of shore and harbour dues has been flowing into the city funds, *unburdened with any deduction*, and applied wholly to the multifarious and extravagant expenditure of the city, and quite unconnected with the port."

On 26th June 1824 meetings of the Leith Merchant Company and the Trinity House were held to consider the prospectus of the new joint-stock company. Resolutions were passed to the effect that these incorporations should not give up the important powers and privileges which were conferred upon the town of Leith by the Dock Acts, or consent to the disposal of the docks to a joint-stock company, in the way proposed, unless the interests of the town and port of Leith were properly safeguarded in the arrangements to be made. Also, that the dock dues should in no way be increased, and that the company should not divide more than $6\frac{1}{4}$ per cent.,—excess of revenue to go to reducing the dock dues. The title of these two bodies to interfere in the Corporation's arrangements was that by the Act of 1799 they were empowered to send annually three representatives each to the Dock Committee of the Edinburgh Town Council, and they had accordingly all along acted with the Magistrates. The Corporation, in reply to these resolutions, stated that

as the docks belonged to the community of Edinburgh, they did not admit the right of the Merchant Company and the Trinity House to control them in the disposal of them; but as they were sincerely desirous to secure the concurrence of all, they were prepared to adopt several of the suggestions of the two incorporations, including that limiting the dividend of the company to $6\frac{1}{4}$ per cent. They also declared their willingness to engage that a sum not exceeding £20,000 should be spent on the improvement of the entrance to the harbour. They, however, refused to bind themselves not to increase the dock dues. This refusal was more than enough to counterbalance all the concessions made by the Corporation, and their answer was considered unsatisfactory. Other bodies in Leith having passed similar resolutions to those of the Trinity House and the Merchant Company, the town of Leith took counsel's (George Cranston, Esq., Dean of Faculty) opinion as to the power of the Corporation to sell the docks. His opinion, dated 28th August 1824, was that the "Magistrates and Council of Edinburgh are entitled to dispose of the docks; but, if they be mismanaged, I imagine the responsibility of the Magistrates and Council of Edinburgh, as grantees of the port, would remain." On 14th January 1825 a meeting of the merchants, shipowners, and inhabitants of the town of Leith was held, in consequence of a requisition from a committee of gentlemen who had, for the last two years, devoted themselves to promoting the interests of the town. Among the resolutions passed were:—

"1. That this meeting, considering the manner in which the whole revenues of the port of Leith have been allowed to merge into the general funds of the city of Edinburgh, instead of three-fourths only of the

average revenue at 1788 being placed to the credit of the city, and the remainder being, according to the spirit of the Acts of Parliament for regulation of the wet docks, applied to the reduction of the dues, or to the improvement of the harbour, view with regret the attempt of the city of Edinburgh to convey the property and revenues of the docks to a joint-stock company, in such a manner that the present rates of dues, if not higher ones, may be rendered perpetual, while all probability as to any efficient improvement of the harbour must be at an end.

“2. Resolved, that it appears questionable to this meeting, whether, under any circumstances whatever, the Magistrates of Edinburgh should be permitted to transfer the docks and revenues arising therefrom to a joint-stock company, they being only trustees for the property in question, and as no benefit can possibly arise, and much evil may ensue, to the town of Leith, from the separation of the dock and harbour revenues and establishments.

“3. Resolved that, if such transfer shall be sanctioned at all, it ought to be under the special conditions that a certain proportion of the accumulated surplus revenue of the port, which has been merged into the general funds of the city of Edinburgh, shall be applied to the immediate improvement of the harbour of Leith, so as to render it a more suitable port for the metropolis of Scotland, and that the dues shall on no account be raised above the rates now paid.

“4. Resolved, that this meeting regret to find, although strong remonstrances have been made to the Magistrates of Edinburgh against the contemplated measure in its present shape by a committee chosen of the different incorporations of Leith, these remon-

stances have not only been disregarded, but the power of such committee to appear on behalf of the town have been denied by the Magistrates of Edinburgh."

A committee, representing the inhabitants at large, was then appointed, with power to adopt such measures as they might deem most effectual for protecting the interests of Leith. Among this committee were the three resident Magistrates, Messrs. Auld, Burn, and Dudgeon, representatives from the Trinity House, the Merchant Company, the Incorporation of Maltmen, the Incorporation of the Trades, and the merchants, shipowners, and heritors, among whom were Messrs. Geo. Crichton, John Hardie, and James Scarth. It was also determined to raise a fund by subscription to strengthen the hands of the committee in any measures they might deem necessary.

Messrs. Cunningham and Bell, town clerks, in a lengthy report (24th January 1825), combated the statements made at the above meeting, and justified the Corporation of Edinburgh in all their contentions and acts.

As it was now evident that the Corporation were determined to press forward the sale of the docks, the inhabitants of Leith, through their committee, prepared for war; for, despite the adverse opinion of the Dean of Faculty, they were determined to fight to the bitter end against what they considered the iniquitous proposals of the Corporation.

The capital of the dock company was £300,000, in £100 shares, and a deposit of £1 on each share was paid to the city chamberlain "in order to defray expenses," that is, of procuring an Act of Parliament for sanctioning the sale of the docks. The Bill was introduced into Parliament, and was strenuously op-

posed by the Leith committee. Circumstances came to light by no means creditable to the Town Council. It transpired that a great proportion of the shares in the company were subscribed for by former and present members of the Council and their friends, and that a very large traffic in these shares was carried on; in fact, a regular transfer book was kept for the transactions. Thus the Town Council, while selling the city's property in their public capacity, purchased it as private individuals. These transactions inspired a member of the House of Commons to characterise the Bill as "one of the most barefaced and shameful jobs ever brought into that House." The opposition to the Bill was successful, and it was thrown out 20th May 1825. The last act of the Corporation in regard to the joint-stock scheme was on a level with the others. Their parliamentary costs, amounting to over £4000, were paid out of the common good, the £1 per share deposited with the city chamberlain "to pay expenses" being returned to the subscribers. In other words, the public were made to pay the costs of the promotion of a Bill for the sale of the docks, of which the Town Council, in their public capacity, were only the trustees, and of which, as private individuals, they were the purchasers. It is almost needless to add that the application of the Leith committee to the Corporation for their costs, which ought to have been paid by the Town Council, was peremptorily rejected.

Matters obviously could not remain as they were, for the Corporation were placed in an impossible position. They had expressly stated as a reason for selling the docks, that they could not pay the interest on the borrowed money, and now the scheme by which

they sought to be relieved of their difficulties had fallen through. The Town Council turned to the Government, and applied for a loan, "upon the ground that it would be productive of public advantage if part of the docks and the 'adjacent shore-ground' from Leith to Newhaven, belonging to the Corporation, were converted into a naval yard, for the service of His Majesty's navy. . . . No evidence whatever was produced as to the state of the revenue of Leith harbour at the time, although there had been an annual deficiency of income from the docks to meet the interest on the loan and the expenses of management, amounting to £6092, 6s. 3d." (*The Question stated as to Leith, Trinity, and Granton*, 1837.) Through the interest of Lord Melville, who at this time took a warm interest in the affairs of Leith, Government agreed to advance the money, on the conditions that the Town Council should give up a small portion of the dock property as suggested, and that they should agree to some better system for the management of the affairs of the port. To this latter condition the Town Council could offer no objection, for they had declared their incapacity to manage the docks. It is questionable if this was a *bonâ fide* declaration; their subsequent proceedings go to prove that it was not. In all probability, it was only advanced in their desperate efforts to ensure parliamentary sanction for a profitable transaction. However, they could not now go back on their public statements; they agreed to the conditions, and nursed their wrath in silence. "From the late period of the session of 1825, in which this arrangement had occurred to Lord Melville, it was found impossible, consistently with the forms of Parliament, to carry through, at that time, such parts of it as were of a private or local

nature. It was therefore agreed that the public Bill, authorising the Government loan, should immediately proceed, while the arrangements for the establishment of a Commission for the better management of the harbour and docks should be carried into effect by a private Bill, to be brought forward in the following session" (Pamphlet, *Leith in 1826*). Accordingly, the Act 6 Geo. IV. cap. 103, sanctioning the advance of £240,000—being the three sums of £80,000 which the previous Acts had authorised the Town Council to borrow—was passed on 5th July 1825. The sum of £25,000, formerly advanced by the Treasury, made the debt to Government £265,000.

On 10th December 1825 the committee of the inhabitants of Leith issued a report on "the points to be proved by the promoters of the Bill for the providing for the better management of the affairs of the port of Leith." The following are the principal clauses of the report:—

"The docks and the harbour of Leith are vested in the Council of Edinburgh, as trustees for the community, not for their individual benefit, but for the benefit of shipping, trade, and commerce, as the Acts and the charters bear.

"The dues collected at the port of Leith are about £22,000, the whole of which is primarily applicable to the maintenance and repair of the harbour and docks, in terms of the Acts and of their charter—that they shall be employed 'in building, enlarging, strengthening, and upholding the said port and pier of Leith,' and also on the principle, that even the interest of debt on road trusts must be postponed to the expenditure necessary for keeping the roads in repair.

"The harbour and docks have been allowed to fall

into the most ruinous and dilapidated state. There is less water across the bar than there was seven years ago. At neap tides there is hardly nine feet of water on the bar.

“The general management of the harbour, as well as the docks, is such as to lead to the conclusion, with all persons informed on the subject, that the accommodation and safety of the shipping frequenting the port is not sufficiently studied.

“The state of the docks is equally neglected. They were originally formed with sixteen feet of water on the sill and seventeen in the dock. When the second wet dock was built a caisson was constructed, at an expense of upwards of £800, for the purpose of emptying one dock at a time to enable them to be cleaned, but this caisson has never once been used, and lies rotting in the upper part of the harbour, and the docks are in some places filled up with mud to the extent of four or five feet above their original bottom.

“All these matters are not of recent occurrence, nor are the Council unaware of these causes of complaint. They have been stated to them times out of number, in all varieties of shape, but without success. On some occasions they have been received with silent contempt; on others, committees have been appointed, which have not even met to deliberate upon the matter.

“The general result is such, and the character of the port for accommodation and readiness of despatch so bad, that it is the general resolution of all shipmasters not to return to it if they can get freight elsewhere, and they demand higher freight for vessels chartered for Leith than for ports in its vicinity.”

The time for lodging the statutory notices for the second Bill drew to a close, but the Dock Committee

of the Town Council made no move. It was seen, in fact, that having got the Government money, which they did want, it was their intention to allow the second part of the arrangement—the Act for the better management of the docks, which they did not want—to be lost by default; for the ensuing session was the last of the then existing Parliament, and the chances of the Act being passed by a new Parliament were problematical. The Leith Merchant Company and Trinity House members of the Dock Committee at last forced a meeting, at which Lord Provost Trotter declared that if the Leith members would only defer the statutory notices for a few days (by which time they would have been too late) he would pledge himself to bring forward an arrangement of a satisfactory nature. The Leith members, however, declined to leave the matter in the hands of the Lord Provost, and lodged the parliamentary notices themselves, and thus by their firmness saved the Bill.

The Act 7 Geo. iv. cap. 105, vesting the management of the harbour and docks of Leith in twenty-one Commissioners, was passed on the 26th May 1826. As this and the former Act (6 Geo. iv. cap. 103) were practically one measure, the leading features of both may be thus summarised :—

1. The amount of the debt on the docks is reduced to £265,000.

2. In consideration of a part of the inner wet dock, and a space of ground adjoining, being given up to the Commissioners of His Majesty's Navy, for the use of the naval service, Government has given a loan, to the amount of £265,000, at the rate of 3 per cent. per annum, on a sinking fund equal to 1 per cent. per annum for the first twelve years and 2 per cent. there-

after being accumulated for the extinction of the debt, the Government debt being paid off, the docks to revert to the city of Edinburgh.

3. The city of Edinburgh having entered into an agreement to expend, out of their shore dues, £28,000 on the extension of the eastern pier, Government propose to expend £19,000 on the extension of the western pier, so as to form at the same time a communication to the naval yard, and so effect the improvement of the harbour.

4. Commissioners are appointed for superintending and managing the affairs of the harbour and docks, and improvements therewith connected, excepting only that they shall not interfere in the collection of the revenue, and that they shall not have the power of expending more than £1000 per annum on the harbour, and a like sum on the docks, without the consent of the Town Council of Edinburgh. They are to have the charge of the ballast department, and to have the power of constructing timber basins on the eastern sands. They are also to have the appointment of a superintendent, and all other officers to be employed under them, such appointments, however, being subject to the approval of the Town Council of Edinburgh, with the exception of the clerk who keeps their minutes, who is to be appointed by the Council, but to be subject to suspension by the Commissioners.

5. The Commissioners are to consist of the Lord Provost and five other members of the Town Council; the Master of the Merchant Company of Edinburgh; three persons elected by the Trinity House of Leith; three elected by the Merchant Company of Leith; two merchants in Edinburgh who shall be payers of rates at the port of Leith to the extent of £5 per

annum, named by the Town Council of Edinburgh, but having no connection therewith; three merchants or shipowners of Leith, being payers of rates to the extent of £25 per annum—one elected by the Corporation of Maltmen of Leith, one by the Incorporated Trades of Leith, and one by the Shipowners' Society of Leith; and three persons named from time to time by the Lords Commissioners of the Admiralty;—in all twenty-one.

6. Statement of dock revenue and debt to be annually made up.

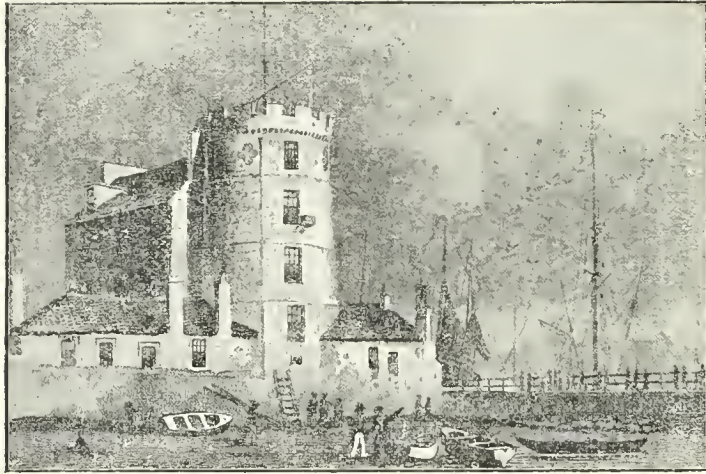
7. Within three months after passing this Act (7 Geo. iv. cap. 105) the Lord Provost, Magistrates, and Council are required to apply to the Sheriff-depute of the county of Edinburgh to summon a jury for the purpose of reducing into British money, and to the standard of the imperial weights and measures, all the duties now payable under authority of former Acts, and to frame tables accordingly.

These two Acts, designed to remove all difficulties and to redress all grievances in the management of the port, had the usual result of such intentions: the parties satisfied, and the difficulties removed, were few. Some grievances, certainly, were redressed, but others were created, and in the opinion of many it was a question whether the new state of things was any better than the old. The first Act was of course agreeable to the Corporation of Edinburgh, as it relieved them—for a time at least—from their pecuniary difficulties, and brought the interest—about £10,300 for the first twelve years, and £12,700 thereafter until the debt was extinguished—within the limits of the income from the docks and harbour. But this very revenue, as has already been

noticed, was a source of heated controversy, and there were those who contended that the Government, in advancing the £240,000, had allowed themselves to be defrauded, in that the security, consisting of the dock duties only, was insufficient. There were others who regarded the transference of a part of the wet dock to the Government as a gratuitous robbery of the community, as no favour was conferred in asking only 3 per cent. for the money advanced, which was actually 1 per cent. more than was given by the banks.

The Dock Commissioners' Act, on the other hand, was distasteful to the Corporation, as it deprived them of much of their control over the docks, while it was equally distasteful to the Leith people, because it allowed the Corporation to retain too much control. The Commissioners, not including the three appointed by the Admiralty, were equally divided between Leith and Edinburgh, and the result was frequent deadlocks, interminable squabbles, jealousies, and recriminations, which it would be futile to enter into. Such a state of things could not last long; and it did not. The dock duties, in which the trading community of Leith looked for some reform, remained entirely in the hands of the Corporation, and were not only not reduced, but in one or two instances increased. By the last Act the Magistrates were bound to apply to the Sheriff, within three months of its passing, for the purpose of fixing a table of rates and duties leviable at the port, which up to this time had never been in a tabulated form, thus often leading to confusion and overcharging. The application was made within the requisite period, but to repeated entreaties that the Magistrates should proceed to get the table settled and adjusted, the answer was, that by applying to the Sheriff they had done all

that was incumbent on them. After seven months had elapsed the Shipowners' Society were compelled to apply to the Sheriff to order them to proceed. The table was then lodged, but in so unsatisfactory a form as led to tedious litigation between the Shipowners' Society and the Magistrates.



SIGNAL TOWER AND PIER ABOUT THE END OF THE EIGHTEENTH CENTURY.

It was under these two Acts that the lengthening of the east pier and the building of the western breakwater were authorised ; but about two years passed before these improvements were actually proceeded with, owing to the delay of the Government in implementing their part of the bargain. The Navy Commissioners apparently had doubts as to whether the old entrance to the harbour could be so improved as to make it worth their while to build a western breakwater. In 1827 Sir John Rennie (son of the famous engineer) was sent down to report on the matter. He suggested a ship canal from Newhaven, much on the same lines as his father's plan. The estimated cost of this work,

however (£220,000, which did not include the construction of a dock), was so great that Mr. Chapman's plan was reverted to and carried out.

Soon after the completion of the piers it was seen that little had been gained, for the depth of the channel had only been increased by about $2\frac{1}{2}$ feet, and the bar—the everlasting bugbear—showed signs of forming again at the extremity of the pier. By this time, too (about 1830), steamships and large vessels were coming into use, and it became evident that although the present entrance might be deep enough for the small craft which had hitherto frequented the port, it was quite unsuitable for the larger class of shipping. The steamships had very often to embark and disembark passengers, and to load and unload cargo, in the roads by small boats and barges—a tedious and expensive as well as dangerous operation. However energetic the Corporation were in securing reports and plans for improvements, their energy never went beyond that point; but when rival harbours began to be advocated and promoted, the trading community of Leith, and the Government (who had so large a stake in Leith Docks), became seriously alarmed.

One of these rival schemes was a range of docks at Trinity, about 500 yards west of Newhaven pier. The enterprise was undertaken by a joint-stock company, and the cost was to be £250,000. The scheme ultimately fell through, but not before it had created considerable panic in all those interested in Leith. Another rival scheme was more serious still. This was for a harbour at Granton, undertaken by the Duke of Buccleuch; the engineers were Messrs. Robert and Alan Stevenson, and the cost was estimated at £268,000. This undeniably magnificent harbour was ultimately

constructed, although the plans were not carried out in their entirety. Granton harbour, however, never seriously affected the prosperity of Leith, although at the time it was looked upon as ruined.

While these various schemes were in active agitation, matters looked so grave that in 1834 Mr. William Cubitt, civil engineer, London, was sent down by the Admiralty to report on the harbour and docks of Leith, and on plans for their improvement. All he could suggest was a slight modification of Rennie's plan for a ship canal with a deep-water entrance at Newhaven, the estimated cost being £125,000. Among many other plans for the improvement of the harbour was one by Mr. James Anderson, who also advocated a deep-water entrance at Newhaven, with a canal to the docks. A plan for a new dock at the Middle Craig was suggested by Mr. John Milne, civil engineer, Edinburgh. This dock was to be connected with the old harbour by a breakwater carrying a line of railway, and the intervening sands, it was suggested, could be gradually reclaimed and fened. In recent years this latter suggestion has been largely carried out.

These various and diverse plans for improvement might well have caused perplexity and despair, for, as a contemporary critic says, "Of all the projectors who have tortured their poor brains to devise some mode of *improving* Leith harbour, no two are agreed in almost any particular; indeed, the very first thing which each new projector attempts, and in which (if he fails in all besides) he for the most part succeeds, is to demolish the project of his predecessors."

Notwithstanding the pressing need for a better entrance to the harbour, on which, in the opinion of those interested, the very existence of the port de-

pended, nothing was done. The reason was simple enough: the Corporation had no means of raising money to carry out any scheme of improvement, on however modest a scale. By the year 1833 the city finances had drifted into a state of hopeless embarrassment; by the Act 3 & 4 Will. iv. cap. 122 the city's affairs had been vested in trustees, and the whole of the harbour hypothecated in security of the Government debt. Through the influence of the members for the city a Select Committee was appointed to extricate it from its pecuniary difficulties, and the Right Hon. Henry Labouchere, Vice-President of the Board of Trade, was sent down in 1835 to report on the state of affairs and to suggest remedies.

Having followed the history of the docks thus far, it now becomes necessary to go back and trace another line of circumstances—the municipal government of Leith, which at this point becomes united with the affairs of the docks.



LEITH HARBOUR ABOUT 1830.

CHAPTER XIX

THE SECOND POLICE, ETC., ACT, 1806—THE VISIT OF
GEORGE IV.—LEITH FIRST LIGHTED WITH GAS

THIRTY-FIVE years after Leith received its first Improvement Act it was found necessary, on account of the growth and increasing commercial importance of the town, to procure another Act of the same nature, but more in accord with the needs of the time. In 1806 a Bill was promoted in Parliament by the Magistrates of South Leith, supported by a petition from the inhabitants. The Town Council of Edinburgh opposed the Bill, and in their petition went very fully into the nature and extent of the rights and privileges of the city of Edinburgh over "*their town or village*, and port of Leith." It was shown that the government of Leith—a subject which will be treated of presently—could not be improved upon, and that "the Lord Provost, Magistrates, and Town Council of Edinburgh are intimately connected with the prosperity of their port; and while they are disposed, as they have ever shown themselves to be, to do everything in their power for the benefit and advantage of Leith, its port and inhabitants, they are bound at the same time to maintain the rights and privileges of the city of Edinburgh inviolate." The head and front of Leith's offending seems to have been

that the Town Council were not consulted as to the provisions of the Bill, or even as to whether a new Act was necessary. Another particular grievance was that the Bill sought jurisdiction over North Leith, Coalhill, and Citadel, districts not included in the Act of 1771. "It is obvious that where so many rights of jurisdiction and of property were vested in the Lord Provost, Magistrates, and Council of Edinburgh, no Bill of this kind should have been attempted without the most minute discussion, both of the principle regarding the police and the different clauses of the Bill. . . . They [the Town Council] insist, that in applying to Parliament for additional powers to those having only a delegated authority, the application should have been in the name and with the previous consent of the superiors or constituents. They insist also, that it is absurd for the Magistrates of South Leith to propose for themselves the powers of jurisdiction over other independent Magistrates of North Leith, and over a district with which they are totally unconnected, and they are resolved to oppose such extension of jurisdiction by every means in their power: upon this point they can listen to no compromise or modification." All this was because the inhabitants of Leith desired to have efficient police protection, and to have the sanitation of the town and the repair of the streets properly attended to. Is it necessary to say that had the Town Council done their duty in these matters the Bill might never have been thought of? In regard to North Leith, it was absurd to say that it was totally independent of South Leith, as by this time it was as much an integral part of Leith as the New Town was of the city of Edinburgh.

Notwithstanding the opposition of the Corporation,

the Act of 1806 (46 Geo. III. cap. 36) was passed, for “amending an Act passed in the eleventh year of His present Majesty . . . and for the better regulating the police of the said town and territory, and of the towns of North Leith, Coalhill, and Citadel, and for other purposes therein mentioned relating thereto.” The provisions of the Act were mainly a modernising and amplification of those of the former Act, and made applicable to the extended area. The Commissioners appointed for the administration of the Act included the Lord Provost, Bailies, Dean of Guild, Treasurer and Chamberlain and Senior City Clerk of Edinburgh, the Admiral of Leith, Bailies of South Leith, Baron Bailie and resident Bailies and Treasurer of Canongate, North Leith, Coalhill, and Citadel, Bailie of St. Anthony, Masters of the four incorporations of Leith, and Town Clerks of South and North Leith, as *ex officio* members of the Commission. The assessment for the purposes of the Act was 5 per cent. of the valued rent of the extended area, and power was given to the Commissioners to divide the whole area into wards for the better administration of the Act. The Bill had sought police supervision over the docks and harbour; but this clause was lost, and the supervision, little better than none, remained in the hands of the Corporation.

In 1806 the city clerk made a report to the Town Council, upon the motion of Mr. Rankin, shore-master of Leith, upon the titles of Edinburgh to their property in Leith (*see Appx. 7*). “This representation of the shore-master,” says the report, “appears to be made with a view to procure such information as shall enable the community of Edinburgh to fix the exact limits of their property in the harbour of Leith, in regard to which some discussion has lately taken place before the

Supreme Court with their vassals in the mills of Leith.' The report discusses the city's titles to the harbour, and the streets, ways, and passages therewith connected, to the superiority of Leith, to the property of the Links, etc., and to the property of Leith Mills. These have already been dealt with, but the report is remarkable for the interesting admission of the city clerk, that after the city took possession of Leith in 1567 the Magistrates "appeared to have exercised it [their jurisdiction] over their vassals in Leith with a *rod of iron*."

After the passing of the Act of 1806 there followed a space of twenty years, during which the municipal relations of Leith and Edinburgh underwent no change; and had it not been for the disputes occasioned by the management of the docks, this period would have been one of comparative peace and quiet.

It was towards the end of this period, in the year 1822, that there occurred an event which formed a pleasant interlude in the long years of hostility between the city and the town. This event was the visit of His Gracious Majesty King George IV. to the metropolis of Scotland, and, as this was the first time in one hundred and forty years that the sacred foot of royalty had trod the soil of Scotland, Edinburgh and Leith sank their differences for the moment, and vied with each other in friendly rivalry to do fitting honour to the occasion. The following narrative is from *A Historical Account of His Majesty's Visit to Scotland* (Oliver & Boyd, 1822):—

"No sooner was it ascertained that the King would visit the metropolis of Scotland, than a controversy, maintained on both sides in the purest spirit of patriotism, arose respecting the place best adapted for His Majesty's landing. By some it was proposed that the

chain pier at Trinity was in all respects more eligible than Leith harbour. This proposition was resented by the inhabitants of Leith, as offering an indignity to the place which had always been the landing-place of the Kings of Scotland. So strong was their feeling on this subject that the Convenery of Leith forwarded a petition to His Majesty, humbly entreating him to confer upon their town the distinguished honour of landing there; and it was finally adjudged that Leith should have the honour which its inhabitants so patriotically claimed.

“Leith now vied with Edinburgh itself in the magnificence of its preparations for the reception of His Majesty. A raft was placed on the south side of the inner harbour, from which a railed gangway ascended to the quay, where it was decided His Majesty should land. A wooden platform was also erected from the landing-place to the end of Bernard Street, where it was arranged His Majesty was to enter his carriage. A magnificent triumphal arch was erected at the north end of Bernard Street, and another in Constitution Street, in the line of the royal procession to the capital. Seats were fitted up along the whole extent of the pier, sufficient to accommodate two thousand spectators, and a scaffold was erected upon the drawbridge for the accommodation of ladies and persons of quality. A proclamation was issued by the Magistrates of Leith recommending a general illumination on the evening after the King’s landing. In short, nothing was left undone by the Magistrates and inhabitants of Leith that could contribute to the accommodation of His Majesty or the grandeur of the anticipated spectacle.

“On the 14th day of August 1822 the royal squadron arrived in Leith Roads. Owing to the extreme wetness of the weather, however, it was

arranged that His Majesty should not land until the following day. On the morning of the 15th it ceased to rain, and our revered monarch, as he ascended the deck, beheld the Scottish capital with its towers and palaces basking in the rays of an autumnal sun, and the surrounding country spread out before him in all its loveliness.

“The different military corps, and other bodies in Edinburgh, which were to form the royal procession, being assembled about nine o’clock in Queen Street, and marshalled in proper order, proceeded to Leith, where, in Bernard Street, it halted to await the arrival of the King. Here it was joined about eleven o’clock by the royal carriage, which was guarded by the Glengarry Highlanders, consisting of twelve gentlemen, with their *cearnachs*, under the command of Colonel Ronaldson Macdonell of Glengarry and Clanranald. These kept close to the royal carriage, which was drawn up at the end of the lower drawbridge, until His Majesty had entered it, after which they occupied the station appointed them in the procession, next to the Royal Company of Archers.

“The trades of Leith, each under its own deacon, and the whole headed by their convener, bearing their respective banners, and each individual with a white rod, and neatly dressed in blue coats, white vests and trousers, with the national emblem of St. Andrew’s cross mounted on their hats, were arranged along Bernard and Constitution Streets. In Bernard Street, in front of the Exchange, were drawn up the Merchant Company of Leith, serving as High Constables, all dressed in blue coats, white vests and trousers, with the St. Andrew’s cross on their breasts, and carrying elegant batons.

“The south side of the quay was lined by the constables of South Leith, dressed in the uniform that has just been described. A detachment of the Scots Greys guarded the upper end of the drawbridge, and a detachment of yeomanry was stationed towards the pier. The platform on which the King would land was lined by his bodyguard, the archers, commanded by the Earl of Elgin. The North British staff, headed by Sir Thomas Bradford, Commander-in-Chief, occupied the space in front of Messrs. Reid & Son’s shop. Upon the north shore, the Custom-house quay was occupied by the Magistrates of Canongate in their robes of office, and the trades of Canongate with their standards, and a band of music belonging to the burgh. At the end of the Excise office a large scaffold was erected, which was occupied by an assemblage of elegantly dressed females. At the north end of the scaffold a flagstaff was erected, from which a flag was displayed bearing the crown, encircled by thistles, with the motto, ‘Welcome! In our hearts you reign Sovereign.’ At the bottom of the staff a balcony was formed, which was occupied by beautiful children. The shore on that side was lined by the constables of Canongate and North Leith. Every window, and every housetop that afforded a tenable position, and the shrouds of the vessels in the docks, were crowded to excess. Above the bridge five smacks were drawn up abreast of each other, their cross-jack-yards and cross-trees manned by sailors in new jackets and white trousers. The Magistrates of Leith, viz. William Child, Esq., Port Admiral, Bailie Macfie, senior resident Magistrate, and Bailies Reoch and Newton, in their robes of office, accompanied by their assessor, town clerk, and procurator fiscal, were stationed on the platform, to

be in readiness to receive His Majesty upon his landing.

“A few minutes before twelve o'clock a gun from the *Royal George*, His Majesty's yacht, announced that the King had entered his barge. The moment the signal was heard, a shout was raised by the thousands assembled on the shore, the effect of which was indescribably striking. The royal barge was preceded by the barge of the admiral on the station, and followed by the captains of all the King's vessels in the roads, in their respective barges, according to seniority. So soon as the royal barge came within hail of the pier, the royal standard was hoisted in the lighthouse, and an immense cheer, accompanied by the waving of hats and handkerchiefs, burst from the multitude. The noise at once subsided into a perfect calm, as if the breathless interest of the people, the palpitation which they endured to a degree now almost painful, had for the instant choked all power of utterance.

“At twenty minutes past twelve o'clock, His Majesty, who was dressed in an admiral's uniform, was alongside the landing-place, where the Port Admiral and Magistrates of Leith, the Lord Provost, the Lord Justice-Clerk, the Lord Chief Baron, the Lord Clerk Register, the Lord Advocate, Sir Thomas Bradford, Sir Walter Scott, and other distinguished persons, were stationed to receive him.

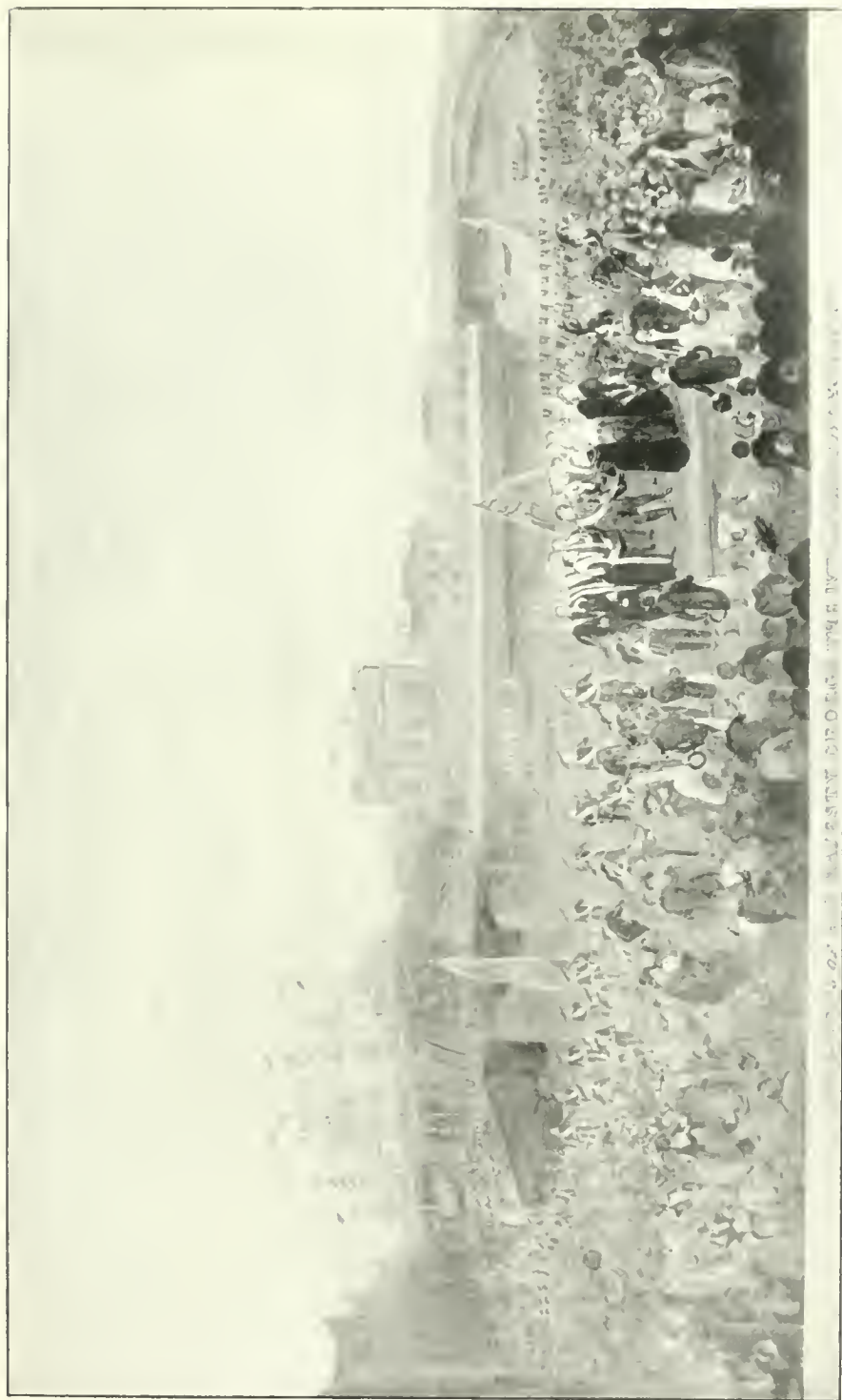
“The Marquis of Lothian, Lord Lieutenant of the County, accompanied by the Marquis of Winchester, Groom of the Stole, Lord Charles Bentinck, Treasurer of the Household, and two naval officers, descended from the platform to receive His Majesty. The King then ascended the gangway with great alacrity, and was received on the platform by the Lord Clerk

Register, who made his obeisance. The shouts of the multitude, the roaring of artillery, and the warlike notes of the trumpet, now announced the landing of King George IV. upon Scottish ground. The Port Admiral and Magistrates of Leith advanced to His Majesty, and, after the usual reverences, Bailie Macfie, the senior resident Magistrate, in name of the Magistrates and inhabitants of Leith, congratulated him upon his auspicious arrival in his ancient kingdom of Scotland. The King smiled in the most gracious manner, and condescended to express his entire satisfaction with the arrangements that had been made for his landing.

“The King having received the congratulations and homage of the assembled noblemen and gentlemen, which he most graciously and condescendingly acknowledged, proceeded with a firm and dignified step along the platform, attended on the right by the Port Admiral and senior resident Magistrate of Leith, flowers being strewed before His Majesty to the royal carriage.

“It would be utterly impossible to describe the enthusiastic exclamations which burst forth at this moment from all ranks, and they appeared to give the greatest satisfaction to the King. After the King had rested a few minutes in his carriage, which was an open landau, hung very low, and drawn by eight beautiful bays, the drivers being in state liveries, the whole procession moved slowly towards Edinburgh.”

A cast-iron slab, with the inscription “Geo. IV. Rex. O Felicem Diem,” was placed on the quay to mark the spot—nearly opposite the Old Ship Tavern—where His Majesty first put foot on Scottish ground. Numerous festive clubs were established to com-



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Public Law 86-608, National Education Act of 1964, 18.

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memorate the event, which kept annual celebrations for many years after.

Leith was destined to be illumined by other light than that of a Sovereign's countenance, for in the same year, 1822, the South Leith Gas Company was incorporated by Act of Parliament. The Act was entitled an "Act for Lighting the Town of Leith and its Vicinity, and other purposes relating thereto," and stated in the preamble, that "whereas the towns of South and North Leith, etc., are large and populous, and it would be of great benefit to the inhabitants thereof, and to the public at large, if the streets, etc., were better lighted, and whereas inflammable air or gas may be obtained from oil or coal or other substances, and coke, tar, pitch, asphaltum, ammoniacal liquor, and essential oil may be procured from coal, and whereas the said inflammable air, being conveyed by means of pipes, may be safely and beneficially used for lighting the several streets, etc., within the said towns of South and North Leith, etc., and for lighting private houses, shops, etc."

The company thus formed—the first Edinburgh company was incorporated in 1818—supplied oil gas, not only to Leith, but to adjacent parts of Edinburgh. The manufacture of gas from oil, however, did not prove successful, and gas from coal was substituted. In 1829 the Corporation granted the Leith company power to supply gas in competition with the Edinburgh company. The reason of this complaisance on the part of the Corporation may be found in the fact that, although most of the proprietors of the company belonged to Leith, several were also influential Edinburgh men, the list being headed in the Act of Incorporation by the then Lord Provost, the Right

Hon. William Arbuthnot, and Alexander Henderson, his first bailie. Notwithstanding this influential support, the Leith company was not able to compete successfully with the more powerful Edinburgh one, and in 1840 it was bought up by a new concern—the Edinburgh and Leith Gas Company.



THE FIRTH OF FORTH, FROM WARDIE (ABOUT 1830).

CHAPTER XX

THE THIRD POLICE ACT, 1827—THE PARLIAMENTARY
REFORM ACT, 1832—THE MUNICIPAL REFORM ACT,
1833

It was with no good will that the Corporation of Edinburgh accepted the arrangement of 1826, by which the management of the docks was transferred to a body of Commissioners. Among those who did their best to promote this reform were the then Magistrates of Leith, Messrs. Burn, Scarth, and Hardie, and none were more energetic than Mr. Scarth. From about 1792 the resident Magistrates had been nominated at a meeting of those who had formerly held the office, which nomination was confirmed, as a matter of form, by the Corporation. It was also arranged that if the parties chose, as was generally the case, to serve a second year, they should do so. In course of time the Leith bailies had become identified with the town of Leith and its prosperity, and latterly they had taken the lead in all agitations and measures which had for their object the advancement of the seaport. It was unavoidable, therefore, that time and again the resident Magistrates should come into conflict with the Corporation. This antagonism of the Leith Magistrates was brought to a climax by their proceedings in regard to the sale of the docks

and to the Dock Commission Act; and the mode of their election being merely a concession on the part of the Corporation, without any legal obligation, Lord Provost Trotter thought fit to make a change, and appoint to the Leith Magistracy those of his own way of thinking. Against Mr. Scarth, in particular, was directed the resentment of the Lord Provost, who showed in his public capacity a degree of vindictiveness towards, and domination over, Leith altogether unusual. It is not too much to say that this spirit was the direct cause of the strife which at this time arose, and which did not end until Leith had attained its independence.

In September (1826) Mr. Scarth had intimated that he intended retiring from the Magistracy, but on the 26th of that month he received a letter, bearing the signature of eighty-three of the principal inhabitants, begging him to reconsider his decision, and earnestly entreating him to serve his second year. Thus solicited, Mr. Scarth agreed to again serve in the Magistracy; and on 9th October, at a meeting of the Old Magistrates, convened for the purpose of nominating bailies for the succeeding year, the names of Messrs. James Scarth, John Hardie, and J. B. Scott (the first two for their second year, the latter taking the place of Mr. Burn), were transmitted to the Lord Provost for confirmation. The letter enclosing the list was handed to the Lord Provost while the Council was sitting, and he, without consulting the Council, returned the answer that the Magistrates and Council had that day nominated the bailies of Leith before receipt of the communication. Mr. Trotter had, however, only been able with the utmost difficulty to secure two persons, one of whom was resident in Edinburgh,

as *resident* Magistrates for Leith, and all his efforts to find a third were fruitless. He had therefore been compelled, much against his will, to reappoint Mr. Hardie. Mr. Hardie, however, the moment his reappointment became known to him, which was on receipt of the Lord Provost's answer, indignantly and at once refused to serve. The Lord Provost then informed the Council that the two individuals chosen by him would easily supply Mr. Hardie's place as well as that of the other two Magistrates.

It would be difficult, at the present day, to realise the uproar of wrath and indignation which these proceedings excited in Leith. The very next day, the 10th, an indignation meeting of the inhabitants of Leith was held, and among the resolutions passed were the following :—

“That indignation of the meeting at the disregard shown to the customary recommendation of the Old Magistrates, by an extraordinary and premature nomination, can only be equalled by the regret and surprise that any person could be found to accept of office under such unparalleled circumstances.

“That no instance has occurred where any Magistrate has been omitted in the nomination before the actual period of service had expired, unless solicited by himself; and the circumstances of James Searth, Esq., whose public conduct has endeared him to his fellow-townsmen, being left out of the present appointment, cannot be viewed in any other light than as an insult to the whole population of the town.

“That the meeting highly approve of the prompt and spirited manner in which John Hardie, Esq., has resigned the situation of a Magistrate, rather than give his countenance to such insulting conduct, or to act with persons so chosen.

“That, in the present circumstances, it is impossible that the municipal government of the town can be carried on with that degree of respectability which is essential to its proper administration ; and as from the increasing population of so considerable a seaport, and from the establishment of an extensive naval depôt, it is absolutely necessary that resident Magistrates should be appointed, vested with efficient powers as justices of the peace, powers which the Town Council of Edinburgh cannot confer, it is the opinion of this meeting that an immediate application to the Legislature is indispensable.”

Meetings, at which similar resolutions were passed, were held by the Old Magistrates on the 16th October, by the Incorporation of Cordiners on the 17th, by the Merchant Company on the 19th, by the Convenery of Trades on the 20th, by the Trinity House and by the Incorporation of Weavers on the 30th.

Amongst other expressions of general displeasure was the resignation of the whole body of the constables. As their batons were collected, they were, from time to time as they accumulated, carted off in barrows to the town's chambers.

The alteration in the long-established mode of appointing the resident Magistrates led to an inquiry as to their powers and jurisdiction, subjects which had long been vague. It was found (Report of the Joint Committee on the Leith Municipal and Police Bill) that not only was the extent of their powers and jurisdiction in civil matters doubtful, but that they had no authority to exercise those powers in police matters which generally had been exercised by the Magistrates of South Leith. The existing Police Acts (1771 and 1806) were therefore, in most cases, a dead letter, for

in these it was provided that all offences punishable by them should be cognisable only before the Magistrates of the different districts of South Leith, North Leith, Citadel, Coalhill, St. Anthony, and Yardheads, *within their respective jurisdictions*. There were also innumerable questions involved as to the exact boundaries of these different jurisdictions. These districts and the nature of their government may be described as follows :—

Royalty of Edinburgh.—*The Harbour, Quays, and Passages leading thereto*, were within the royalty of the city of Edinburgh, and none of the Magistrates of Leith had any jurisdiction there, except in the character of admirals-depute, and that only as regards maritime questions. *The King's Work*, a separate property lying in the centre of South Leith, erected into a barony by James VI., was also within the royalty of the city, being acquired in 1647.

North Leith, a portion of the burgh of regality of Canongate, was granted by David I. to the canons of Holyrood. It included some pendicles on the south side of the water, notably the *Coalhill*. It was under the jurisdiction of the baron bailies of Canongate, annually appointed by the Magistrates of Edinburgh. These bailies could not appoint deputies, and they held a *pro forma* court in North Leith rarely oftener than once a year. The Canongate court-house was two miles distant.

South Leith—that is, the portion erected into a burgh of barony in 1636—was administered by baron bailies appointed or confirmed by Edinburgh, the mode of whose appointment has already been sufficiently explained. These bailies also acted, on deputation from Edinburgh, as admirals of the port in cases

purely maritime, and also as deputies lieutenant under the Lord Provost.

The Citadel, acquired by the Town Council in 1663 from the Earl of Lauderdale, had previously been erected into a burgh of regality, holding of the town of Edinburgh. The bailies of South Leith acted as bailies of this small district, and if duly appointed (which was doubted) they could adequately administer justice, though no court was held there. The Magistrates of Canongate also claimed jurisdiction over the Citadel.

St. Anthony.—The preceptory and territory of St. Anthony, granted by James VI. to the ministers, elders, and others of South Leith, held of the Crown, and the parties regularly appointed their own baron bailie. He had originally the same power in his territory that the bailies of South Leith exercised in theirs. The property belonging to the preceptory was scattered all over the town, and none of it was included in the other jurisdictions.

Yardheads was acquired by the city in 1725, along with the Calton, from Lord Balmerino. It was believed to be within the county of Midlothian.

The Residue, or largest portion of the modern town of Leith, was that which was comprehended under none of the above jurisdictions. It lay around, and on all sides, and was interlaced with these districts in every possible way. It therefore could not be administered by any of the Magistrates appointed as above.

The multiplicity of these jurisdictions was confusing enough, but the matter was made worse by the uncertainty, and in some cases the impossibility, of defining their boundaries. The only person who held jurisdiction over the whole was the Sheriff of the

county, who had no substitute in Leith, and who never held a court there.

The absence of any proper municipal authority, and the wants and necessities of the population, gradually led the bailies of South Leith, the only acting Magistrates in Leith, to assume an authority over all these districts, both unwarranted and illegal. For the same reasons they were led to assume the powers of justices of the peace, without any authority, and several of their acts in this capacity were challenged in the Supreme Courts, and the objection sustained.

In 1824 a Commission of the Peace had been granted for the county of the city of Edinburgh and the *liberties thereof*; and an attempt had been made, aided by the earnest endeavours of the then Lord Provost, to have justices of the peace nominated for Leith. The Lord Advocate had stated, however, that Leith *was not within the liberties of Edinburgh*, and therefore could not be included in the Commission. Towards the end of the year 1826, and just after the events lately narrated, this question of justices of the peace for Leith was revived. "It would seem that his Lordship [the Lord Advocate] has since changed his mind, though on what grounds has not been explained. In consequence of this change, which strangely tallies, in point of time, with the necessities and wishes of the Magistrates of Edinburgh, a new Commission of the Peace, assuming that Leith is within the liberties of Edinburgh, was lately issued for the city of Edinburgh, *and the liberties thereof*, in which the names of various gentlemen in Leith were included; and these gentlemen were required to accept and qualify under that Commission." (*Statements connected with the*

circumstances which have induced the inhabitants of Leith to apply to Parliament for a Bill for the regulation of the municipal government of that town.)

A meeting of the Old Magistrates was held on 12th December 1826, to consider this request, and the following resolutions were passed :—

“That, from the letter which has been sent to these gentlemen who have formerly been Magistrates of Leith, it appears that the parties present have, along with others, been thus included in a New Commission of the Peace for the city and liberties of Edinburgh.

“That, so far as it appears from that letter, the town of Leith is not included in this Commission, except in so far as it may be held to be within the liberties of Edinburgh.

“That there having been laid before the meeting the positive statement of the first Law Officer of the Crown in Scotland, made in an official letter to the Secretary of State for the Home Department, that Leith is not within the liberties of the city of Edinburgh, it is quite clear to this meeting that the present Commission does not extend to Leith, and therefore that they could not act as justices of the peace within the said town or its suburbs ; that therefore it would be of no benefit to their townsmen were they to accept of such nomination ; while, on the other hand, it would be unnecessary, and might possibly be inexpedient, for any individual resident in and connected with Leith to act under this Commission, in any case or matter occurring within the city of Edinburgh or liberties thereof.

“That a measure of this description brought forward after a petition had been presented to the Legislature, for the purpose of providing for the better

municipal government, and more efficient administration of justice within the town of Leith, by authorising the appointment of resident justices of the peace, requires at least the most mature and deliberate consideration of all persons resident within the town of Leith.

“That therefore this meeting request their chairman to send a copy of these resolutions to the Lord Provost, intimating that, for the reasons here stated, the members of this meeting cannot at present comply with the request stated in his Lordship’s letter of the 7th instant.”

The reason of this renewed attempt to have justices of the peace nominated in Leith is shadowed forth in the above resolutions. It was not because they were imperatively required, but because it had become known that a Bill for the better municipal government of Leith had been prepared, the chief occasion for which was the confusion and inadequacy of the existing form of government. The City Corporation thought to cut the ground from under the feet of the promoters by appointing justices of the peace, whose powers would not be subject to the same uncertainties as those of the Magistrates. But this concession, made at the eleventh hour, and in a purely hostile spirit, was met by the refusal of all qualified persons in Leith to act as justices.

The state of feeling in Leith might best be described in the phrase, “No compromise.” The Corporation and their nominees to the Leith Magistracy were as cordially disliked as the heroes of the hour, Messrs. Scarth and Hardie, were glorified and fêted. On this latter manifestation of popular regard there hangs a tale, which is recited by Campbell in the following terms:—

“Soon after the events which we have just related had occurred, the inhabitants of Leith, as an expression of esteem for their late Magistrates, invited these gentlemen to a public dinner. On this occasion the Lord Provost, stricken, we presume, with the terrors of a guilty conscience, deemed that the note of preparation for dinner in Leith was merely a *ruse de guerre*, and that the true object of the meeting was to hatch treason against his sacred person. To counteract these hellish machinations on the part of the disaffected Leithers, and to meet the attack, which he fully expected, in a manner which should at once effectually protect himself, and exhibit to the insurgents the folly of all such treasonable attempts as compassing the death or the maltreatment of the Chief Magistrate of Edinburgh, his Lordship entered into arrangements with the commanding officer at Piershill barracks, by which it was stipulated that several troops of dragoons, amply provided with ball cartridges, should remain the whole night under arms, ready to march to his assistance at a moment's notice, and upon an agreed signal being given. This signal, we believe, according to the most approved practice of war, was a blue rocket. The whole *posse comitatus*, also, of the city were ordered to be under, not arms, but inglorious batons, that they might be ready to be aiding and abetting in the defence of his Lordship, as became true and loyal subjects and citizens.

“As good fortune, however, would have it, the conspirators in Leith entered so keenly and with such right goodwill into the enjoyments of a good dinner and excellent wine, that, what with one thing and another, they most unaccountably wholly forgot their projected enterprise, and remained quietly but joyously

over their bottles till a late hour in the evening, when they dispersed in the utmost good-humour with each other, and with all mankind, not even excepting the Town Council of Edinburgh. . . . We must not omit to mention, that amongst the other arrangements which Mr. Trotter ordered . . . was the withdrawing of a great number of the city watchmen from their usual stations, and planting them round his own house!" Campbell adds, that when the Leithers heard of these curious proceedings for the first time the next day, they treated the report as a malicious attempt to flatter them, by placing the Lord Provost in a ludicrous light. "The melancholy fact, however, soon became too notorious to be doubted; and it was with feelings at once of the utmost indignation and sorrow, that the inhabitants of Leith found themselves compelled to acknowledge their conviction of the truth."

In the *Statements* already referred to, it is said: "The inhabitants of Leith have been driven to make this application [for a Bill] by the very anomalous circumstances of their case. One of the first seaports in the kingdom, and the very first in Scotland—with 30,000 inhabitants—possessing important and valuable institutions—the seat of the principal custom-house—and about to become the site of the only naval arsenal in Scotland; Leith is substantially, and in effect, without any municipal government—the existing authorities being possessed of very inadequate powers—the limits of their respective jurisdictions being uncertain and undefined, and a large portion of the town being unprovided with any local Magistracy. . . .

"With regard to the town's affairs, the number of instances of misgovernment, arising from inattention

and want of power in the bailies, is prodigious. The streets are ill paved, and worse lighted. The inhabitants suffer the most serious depredations in their property and goods, in vessels, on the quays, and from the warehouses—even the King's naval yard is not safe. The supply of water is scanty in quantity, and bad in quality, and fever in consequence rages through the town. (In a note in reference to this it is stated: 'The defective supply of water is now remedied, not by the governors of the town . . . but by the Commissioners of Police, on whom, on account of the want of proper municipal governors, the power was devolved by Act of Parliament. Seven years ago it became necessary to deprive the Magistrates of Edinburgh of the management of the water department in their own city, and to confer it on a company.') . . . The whole system of police is inefficient. There is no police whatever in the docks and warehouses connected with them; vagrants pursued by the police may take refuge, and are safe there. The principal road leading to the harbour and docks is not 18 feet wide . . .

"It has been proposed, that instead of the measure here suggested, the whole government of Leith should be vested in the Magistrates of Edinburgh. There is only one way in which, as far as is at present known, the powers and authorities of the Magistrates of Edinburgh can be extended over the community of Leith, and that is of extremely doubtful expediency, viz. the extension of the royalty of the city of Edinburgh over the territory in question.

"This is a measure to which effect has repeatedly been given in the history of Edinburgh, whether in any other quarter is not known; but in every instance the principle has been distinctly admitted and

recognised, that the consent of the parties is quite indispensable. Now, the inhabitants of Leith do most positively and unanimously object to the proposition, for many reasons, independent of that which might suffice, viz. that they do not choose to consent . . .

“The petitioners therefore trust . . . that the imaginary interest of the Town Council of Edinburgh will not be allowed to prevail against the real interests of the public and the community of Leith.”

The Bill, before being brought into Parliament, was submitted to Mr. Peel, Home Secretary. He did not look favourably upon the idea of a Magistracy and Council for the whole of Leith, but suggested instead that a Sheriff-substitute should be appointed for the daily administration of justice, and who should have jurisdiction over the whole limits of the town. Rather than that the Bill should be endangered, Mr. Peel's suggestion was adopted, and the Bill as amended was introduced into the House of Commons, backed by a petition in its favour from the inhabitants of Leith. The principal petition against the Bill was that of the Lord Provost, Magistrates, and Council of Edinburgh, in which, as usual, it was alleged that the proposed Act would be an iniquitous measure, and that the government of Leith was without blemish and without reproach. It set forth that “every one of these purposes [of the Bill] is founded upon a *total disregard to vested rights*.”

The Bill was fiercely contested, clause by clause, by the city of Edinburgh; but, after a discussion of nineteen days in Committee, it was carried up to the House of Lords.

The Act 7 & 8 Geo. iv. cap. 112 was passed on 2nd July 1827, and was entitled “An Act to provide for

the Municipal Government of the Town and Suburbs of Leith; for the further administration of justice; and for the regulation of the police therein." Its preamble said: "And whereas it is expedient that the said Acts [of 1771 and 1806] should be repealed, and that the Commissioners of Police hereinafter appointed should be enabled to maintain an efficient police, and to preserve peace and good order within the whole district comprehended under this Act, and hereinafter described; and that provision should be made for the watching, paving, cleansing, and lighting the said district.

"And whereas, from the great and increasing population of the said town of *Leith*, and the increase of trade, and of the shipping frequenting the docks and harbour thereof, it is necessary to provide for the further administration of justice within the said town and district."

The principal changes which the Act made in the existing state of things may be thus briefly summarised.

All the territory bounded by, roughly speaking, Seafield Toll on the east, and the westernmost point of the wet docks, and on the south by Bowling Green Street, Junction Road, Duke Street, Burns Street, and the north side of the road leading round the east Links to Seafield, was to be known in future as the "town of Leith."

A resident Sheriff-substitute, who might also be appointed admiral-depute, to hold daily or regular courts, was appointed for the administration of justice over the whole of Leith. The expense of providing accommodation for the Sheriff Court was made a burden upon the police funds. This was the occasion of the building of the present Town Hall.

The town was divided into ten wards for the purposes of the Act, and some slight alterations were made in the constitution and appointment of the Commissioners.

As in the Act of 1806, requirements in the matters of police, water, cleaning, drainage, etc., were brought up to date, and for the various purposes of the Act the Commissioners were empowered to levy an assessment of one shilling and sixpence per pound of rental.

Three Magistrates for South Leith were to be annually chosen by the Town Council from a list of nine presented by the Old Magistrates. The Magistrates of the other districts retained their authority in their respective jurisdictions, and the mode of their election remained practically the same.

It was not to be expected that the angry feelings which preceded and accompanied the promotion of this Act should suddenly subside and vanish on the passing of it. Mutterings of the storm continued to be heard from both ends of Leith Walk; and the jealousies in the Dock Commission kept alive ill-feeling when it might otherwise have died down. The warfare had one good effect, however,—it exhausted the fighting spirit of the Corporation; and when, in the course of time, they recovered their energies, there were other and more serious matters upon which to direct them than the affairs of Leith.

In 1831 began one of the greatest constitutional agitations of modern times, for which the country had for some time been ripening. On the 1st of March Lord John Russell introduced the *Reform Bill* into the House of Commons. The purpose of the Bill was to sweep away abuses in parliamentary representation, such as “rotten” or “pocket” burghs, to en-

franchise towns, and even cities, as well as large centres of population, which at that time were totally without representation. The Bill was bitterly opposed, and the fifteen months' parliamentary strife was one of the fiercest ever experienced in the nineteenth century; but on 7th June 1832 the Bill received the royal assent. The Scottish Reform Bill secured the royal assent on 17th July. The title of the Act (2 Will. iv. cap. 65) was modest, and hardly suggested its great importance: "An Act to amend the Representation of the People in Scotland." The preamble said: "Whereas the laws which regulate the election of members to serve in the Commons House of Parliament for Scotland are defective, whereby great inconveniences and abuses have been occasioned; and whereas it is expedient, and would be for the evident utility of the subjects within Scotland, that these defects should be remedied, and especially that members should be provided for places hitherto unrepresented, and the right of election extended to persons of property and intelligence, and that the mode of conducting elections should be better regulated and ordered. Be it therefore enacted," etc. . . .

By this Act, Leith, Portobello, and Musselburgh—known as the Leith district of burghs—were associated in the return of one member to Parliament, an arrangement which still subsists. Extended boundaries were also assigned to Leith—those which it still has, namely:—From a point a little to the east of Seafield Toll in a straight line to the western side of Lochend, where the feeder joins the Loch; thence in a straight line to Pilrig Free Church; thence along Pilrig Street and Bomington Road to the point where the latter joins the Ferry Road; along Ferry Road to a point a few

yards west of Granton Road; thence in a straight line to the sea, at a point where the Wardie Burn joins the Firth of Forth. The first elected representative of the Leith burghs was John Archibald Murray, Esq., afterwards Lord Murray.

Edinburgh also came in for its share of justice, being empowered to return two members to Parliament, and the passing of the Act was celebrated by both city and town in a fitting manner. The following account (abridged) is from "An Account of Edinburgh and Leith Reform Jubilee," edited by W. Millar, 1832:—

"The jubilee at Leith was celebrated on Friday the 10th of August 1832, in a style of grandeur which reflected high honour on the public-spirited and patriotic inhabitants of the port. The trades and public bodies met at ten o'clock in front of the High School, Leith Links. The flags and banners were extremely showy and elegant, and presented a lively spectacle to the thousands who thronged around to obtain a view of the procession. The different bodies, having marshalled in excellent order, to the number of 3000, left the ground at eleven o'clock, each party headed by a band of music. At the opening of Bernard Street from the Links they were joined by large deputations from Portobello and Musselburgh, accompanied with the various emblems of their respective trades.

"The procession moved up Leith Walk to the Toll Bar, where they met the Edinburgh procession, as previously agreed upon. The two pageants then passed in review of each other, the Leith bodies passing towards the city, until they reached the rear of the Edinburgh procession, where they wheeled round

and returned towards Leith to Leith Links, where, after giving three cheers for Reform, the different bodies dispersed.

“The shops were shut throughout the day, and business of every kind suspended for the time. In the evening a great public dinner was served up in the area of the New Market, of which about 700 gentlemen partook.”

The appetite for Reform being once roused in the country, it was not to be appeased by a solitary measure applicable to the parliamentary franchise. Municipal Reform, Poor-Law Reform, and other beneficial measures, were now taken up and carried. In the first session of the Reformed Parliament the Scottish Municipal Reform Act was passed, by which parliamentary constituencies were empowered to elect their own Magistrates and Town Councillors.

The Act 3 & 4 Will. IV. cap. 77, passed 28th August 1833, was entitled “An Act to provide for the Appointment and Election of Magistrates and Councillors for the several Burghs and Towns of Scotland which now return or contribute to return Members to Parliament, and are not Royal Burghs.” This Act was the natural consequence of the parliamentary Reform Act. In the preamble it was said, that “whereas . . . there are in some of these burghs and towns no proper magistracy or councils, and the constitution of such magistrates and councils, and the mode of electing the same, where they do exist in such burghs or towns, is defective, and has given occasion to much inconvenience. For remedy whereof it is expedient that provision be now made for the due appointment and election of such magistrates and councils, in all such burghs.”

Part of the Act relating to Leith is as follows :—

“Be it therefore enacted . . . that there shall be in each of the said burghs and towns of *Paisley, Greenock, Leith, and Kilmarnock*, the number of sixteen councillors, whereof one shall be Provost, four shall be Bailies, and one a Treasurer.

“And be it enacted that the right of electing the councillors in each of the said burghs and towns shall be in all the persons who are qualified to vote for a member of Parliament.”

Leith thus obtained a separate and independent municipality. Adam White, Esq. of Fens was the first Provost elected for the burgh, in 1833.

The gratitude of the inhabitants was expressed in the following address, transmitted to Lord Grey, for presentation to the King :—

“To His Majesty William the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith.

“The Humble Address of the Provost, Magistrates, and Council of the Town of Leith.

“May it please your Majesty,—

“We, your Majesty’s most loyal and dutiful Subjects, the Provost, Magistrates, and Council of the Town of Leith, beg, upon the present interesting occasion, to approach your Majesty with the expression of our unfeigned attachment to your Majesty’s sacred Person and Government.

“Elected by the Suffrages of our fellow Townsmen in virtue of the privileges lately conferred upon us, We anxiously embrace the opportunity of our meeting as a free and independent Council, to pay that tribute of gratitude so justly due to your Majesty, to whose

wisdom and firmness the Inhabitants of this Town are indebted for the restoration of their freedom, and their emancipation from the yoke of feudal Vassalage.

“We would turn from the recollection of other years, when the Privileges of our Town were wrested from the Inhabitants,—We would bury the past in oblivion ; and, cultivating the most kindly feelings towards all, We would rejoice in the liberty which the Government, under the benign auspices of your Majesty, have graciously conferred upon the Inhabitants of Leith in common with your Majesty’s other Subjects.

“We are deeply sensible of the blessings we enjoy under the paternal Government of your Majesty, of the security of life and property ; of the prospect of continued peace and prosperity which the measures of your Majesty’s Administration encourages us to cherish ; and we trust that your Majesty’s Subjects will, by a prudent and intelligent use of their Franchise, show that they are not unworthy of this extension of their rights ; and thus falsify the predictions of the Enemies of Reform, and afford a convincing proof of the wisdom that planned, and the firmness which executed, that great and healing measure.

“Called into existence by this enlightened Act of your Majesty’s Government, We beg to assure your Majesty that we shall exercise the powers and privileges with which we have been invested, by the most zealous endeavours to suppress crime, and reclaim the vicious ; to instruct the ignorant, and to give encouragement to every measure tending to promote the interest of true Religion and sound Morality among the people over whom we have been chosen to preside.

“That your Majesty’s Reign may be long and

prosperous, blessed with the gratitude and affection of a loyal People, is the sincere and ardent prayer of,

“May it please your Majesty,

“Your Majesty’s most loyal and dutiful Subjects, the Provost, Magistrates, and Council of the Town of Leith, in Council assembled.

“Signed by our Provost in our name and by our appointment; and the Seal of the Town is hereto put and affixed, at Leith, this Eighteenth day of November, One Thousand Eight Hundred and Thirty-three years.

“ADAM WHITE, P.”

Thus peacefully did Leith attain almost the summit of its desires, and the long oppression of centuries was ended. Ancient privileges, vested rights,—the shibboleth of oppression,—were brushed contemptuously aside, as decrepit obstacles in the path of the great Reform. And what of Edinburgh? Even if Edinburgh had had the power, which it had not, to oppose these measures for the benefit of Leith, it had not the heart, for by the Municipal Reform Act its own house was likewise set in order. (See preamble. “Whereas . . . the constitution of such Magistrates and Council, and the mode of electing the same, where they do exist, in such Towns or Burghs, *is defective*.”) When the *Reformed Town Council* of Edinburgh did get into working order, its energies were fully occupied in grappling with the legacy of misrule, confusion, and overwhelming debt left them by their unreformed predecessors.

CHAPTER XXI

THE SEQUESTRATION OF THE CITY OF EDINBURGH IN
RELATION TO THE PORT OF LEITH

No sooner were the municipal affairs of Leith placed upon a satisfactory footing than undivided attention was again given to the docks. The newly incorporated Town Council of Leith lost no time in making its voice heard. At a meeting on 31st December 1833, Councillor J. Mitchell moved for the appointment of a Committee of Inquiry into the affairs of the port of Leith. The motion was agreed to, the committee appointed, and a report was issued containing various suggestions for reform in the administration of the docks and harbour.

Important as these matters were, they were overshadowed by a series of circumstances which, taking form in 1833, in about a year afterwards began to assume a most serious aspect. Mention has been made of the unsatisfactory condition of affairs in Edinburgh, and in 1833 the Act was passed sequestrating the property and revenues of that city, so far as these were legally liable for its debts, and appointing trustees to administer them for behoof of the creditors. "A variety of difficult questions arose as to what property was thus attachable, and what was strictly municipal and not attachable, and these led to actions in the

Court of Session, involving principles of municipal law, the discussion of which was likely to last for years." (See Edinburgh's case for extension in 1856.) As the revenues arising from the docks and harbour of Leith formed the most important item of the general revenues of Edinburgh, the former naturally received the principal share of attention. A long and confused controversy arose, in which the creditors and the city were pitted against each other, and the inhabitants of Leith against both.

One of the first to enter the field was Councillor Mitchell, of Leith, who, in May 1835, published a *Report and Statement to the Town Council of Leith on the Affairs of the Docks and Harbour of Leith*. In this report (a lengthy pamphlet of 110 pages), Mr. Mitchell took, of course, the Leith view of the controversy; but it is otherwise most valuable as a history of the harbour and docks, as containing a digest of all the Acts of Parliament, and a statement of all the financial and revenue questions, in connection with the port. As Mr. Mitchell's view was practically that of Leith, it may be convenient to summarise it here.

After dealing with the management of the harbour and docks, charges, and salaries of officials, he refers to the "City State of Debt" in relation to the port of Leith, the particular subject round which the controversy raged at this time. As was stated in a former chapter, the whole expenditure on the wet docks was put by the city at £302,290; but, according to the Leith view, several sums were unwarrantably included in this. £80,544, for "areas for building and purchases," ought not to have been charged against the dock duties (which were, rightly speaking, dues on

ships, not cargo). There ought also to have been deducted £60,195, being a grant made by the Board of Ordnance towards building the Martello Tower and the bastions of the wet docks. Also £25,000, paid by the Exchequer to the Magistrates (39 & 40 Geo. III. cap. 57), “to be applied in completing the docks, etc., and not repaid or charged in the debt due to Government.” After these deductions were made, the debt would stand at £136,551. Again, according to the Act of 1788, the city of Edinburgh was only entitled “in all time coming” to three-fourths of the free revenue from the port of Leith, calculated on the average of the five years prior to the passing of that Act. This three-fourths was £3000. “Allowing the city, upon the fair principle of secs. 37 and 38 of Act 28 Geo. III. cap. 58, a free annual revenue or profit of £3000 out of the shore dues, from the date the dock dues commenced to be collected, making them even a present of *the whole* revenue collected from 1788 to 1806, we shall find the true state of the affairs between the public and the city to be as follows:—

“Shore dues, ‘yearly free revenue’
 exceeding the three-fourths of the
 average of the five years preceding the
 year 1788, £9000,—but say £8000,
 from 1806 to 1835: 29 years at
 £8000 is £232,000

“Dock dues, from 1806 to 1835
 (*not including pontage, feu-duties,*
warrants), average about £8000 per
 annum,—but say £7000: 29 years at
 £7000 per annum 203,000

Carry forward £435,000

Brought forward, . . .	£435,000
“Deduct expense of the docks (building of wet docks, £175,086 ; of dry docks, £18,198), as per city state- ment	193,284
	<hr/>
“Overpaid to or due by the city .	£241,716
	<hr/>

not calculating interest, and allowing the city the whole of the feu-duties, ground-rents, and pontage.

“However large this sum may appear, there is no overstating in it; it is made out according to the dictum of the Act of Parliament introduced by the City Council themselves in 1788; and it is quite evident that it is impossible to controvert the fact, here most distinctly proved, that the docks have been paid for long ago, and that false and unjust statements and the city affairs have been, from time to time, prepared for sinister purposes, and to enable extravagant and rapacious and irresponsible city rulers to lavish the funds of the community in the most unwarrantable manner, to the extent of upwards of £60,000 annually.

“The docks having been paid for long ago, as has been clearly shown, we now come to ask in what position the Government is placed with the supposititious debt of £265,000? Did the Government cause a full and fair examination to be made into the affairs of the city and the port before this money was lent? Were the inhabitants of Leith asked whether they would consent to be saddled with such an enormous burden, or were they ever asked whether they would consent to the one-third of the wet dock being taken by Government, *without any equivalent*

given by Government, and after the whole of the docks had been long before fully paid for?"

In conclusion, Mr. Mitchell says: "I shall have gained the only object which I had in view if I succeed in rousing my fellow-townsmen to endeavour to shake themselves free of the ponderous deadweights which have hung so long on our industry. . . . I have endeavoured to show, or intended to have shown, that the port of Leith has, from the beginning of the city control until now, been under the very worst management,—that no improvement or regeneration can be expected until a complete change is effected in the system, and that the mode of electing Commissioners must be changed, so that they may be under the control of the popular voice."

Following upon Councillor Mitchell's report came, on 27th June, a *View of the Financial Affairs of the City of Edinburgh, with Suggestions for a Compromise with the Creditors*, by Mr. Adam Black, then City Treasurer. This *View*, although for the "statements and suggestions contained therein Mr. Black is individually responsible," may be accepted as the position and contention of the city of Edinburgh. "I have been induced," says Mr. Black, "to submit to my fellow-citizens a short view of the city's finances, and a scheme for relieving the town from its embarrassments; not so much from any overweening anxiety for the adoption of a favourite project of my own, as to give the inhabitants, who, I believe, are little aware of the dangerous state of their affairs, an opportunity of judging more accurately of their real circumstances, and in the hope that it may lead to the adoption of some plan by which the city may be extricated from its distressing difficulties."

“Besides the debt due to Government, secured over the docks and harbour of Leith, amounting to £238,346, 18s. (reduced to that amount in 1835 by the operations of the sinking fund), there are debts due to other parties amounting to about £410,000. The creditors for this last sum are pursuing the Corporation for the full payment of their claims.”

The revenue of the city of Edinburgh for the year 1834-35 was £24,677; the expenditure, according to the estimate presented to the Court of Session, £15,934, or, as amended by the Court by striking out such sums as Lord Provost's salary, expense of making up accounts, pensions, etc., £11,561. The whole net revenue from the port of Leith was, for the same year, £14,816, from which there fell to be deducted, as interest payable to Government and contribution to sinking fund, £10,350, leaving a balance of £4466 available for the purposes of the city. The surplus revenue, both from the city and the port, available for the ordinary purposes of the city of Edinburgh, was therefore £13,209, or, according to the expenditure as amended by the Court of Session, £17,582.

The above is a statement in outline of the city's affairs as represented by Mr. Black, and there is no reason to doubt the accuracy of his figures, so far as they go. Out of the surplus he proposed to pay the creditors a dividend of $2\frac{1}{2}$ per cent.—equal to £10,250—by means of transferable bonds, which, he believed, would sell at about £80 for the £100. The remainder of this surplus was to go to form a sinking fund. Mr. Black's figures did not go far enough. He had forgotten that in 1839 the payment to Government would be increased to £12,750, or £2370 more than in 1835. One large item, also, of the city revenue—the seat-rents

of the city churches, amounting to £7000—was claimed by the various kirk sessions as applicable only to ecclesiastical purposes, and this sum, therefore, the city had no right to calculate upon. Taking off those two items alone (for there were others in dispute), the surplus revenue stood at £8212, or 2 per cent. on the city debt. Mr. Black's suggestion for a composition, it may be mentioned, the creditors refused to entertain.

In reference to Leith, Mr. Black says: "But it is clear that there must be some new and complete changes in Leith matters; there is a pressing demand for a low-water harbour. Even in the face of all the opposition of the Magistrates of Leith, of the Corporation of Edinburgh, and the trustees for the creditors, whose objections might have been considered almost insuperable, the promoters of the Trinity harbour have made a very great impression on Parliament, so that it is not improbable that this low-water harbour may be carried in the face of all opposition. Other plans have been proposed, which involve the expenditure of very large sums of money, amounting to £100,000 or £150,000. If any of these is adopted, it can only be executed by Government furnishing the money in addition to the £238,000 still owing on this account. If any improvement is made at the expense of Government, it would be unreasonable to expect that all the benefit resulting from these improvements should be reaped by the city of Edinburgh, or by the creditors, but it would be equally unjust, in any new arrangements, that the city should be deprived of the revenue it is entitled to at present, in order to promote the advantage of other parties.

"It is idle to speculate on what might have been or what ought to have been the state of the port under

proper management. . . . Supposing it should be acknowledged that, for five centuries, the affairs of Leith under the direction of Edinburgh and its Magistrates have been oppressively and prodigally conducted, however unfortunate the proprietorship may have been, the harbour was as much the property of the Corporation of Edinburgh as the harbour of Cockenzie is the property of Mr. Cadell; and the inhabitants who congregated around it had no more peculiar right to it than the increasing inhabitants of the village of Cockenzie may on some future day have to Mr. Cadell's harbour, and insist on a counting and reckoning with his successors as to the money expended on the port and the revenues derived from it. It is something like delusion on the part of the individuals who happen at present to reside in Leith, to complain of the damages sustained by the oppressive and injurious conduct of the superiors of the harbour from the fifteenth century downwards, as if they were the parties who suffered, and to whom compensation should now be made. The fact is, that the bad management of the affairs of the harbour was equally injurious to Edinburgh, and to all the districts to which Leith served as a port. . . .

“It is quite clear that, besides the general interest in the prosperity of the port of Leith, the city of Edinburgh, or the creditors, have a pecuniary interest in its revenues, which, by recent Acts of Parliament, have been established to consist in the surplus of revenue, after paying the interest on the sinking fund to Government; and when the debt is liquidated, in the whole of the revenues of the harbour, amounting to £6900, and the feus and rents of property adjoining the docks amounting to £2800. . . .

“I believe, if the parties interested would agree

among themselves, a favourable arrangement might at present be made with Government, who are urgently called on, by the embarrassed circumstances of both the town and the port, to interfere and assist; Government having been itself a party to those schemes which have involved the community in trouble, and being in danger of losing what they have advanced in the general wreck, Edinburgh has likewise to plead, as a set-off, its right to the Parliament House, and its expenditure on account of the College. And if Government will not effectually use their influence to prevent the Trinity Harbour Bill, then they are parties not only to the destruction of their own property, but the property of others. If they are disposed to let the Trinity Harbour Bill pass, they ought to be prepared to relieve the docks from the burden of the debt. . . .

“The inhabitants of Leith may also raise objections to any adjustment affecting the port, but it is obviously the interest of the inhabitants of Edinburgh and Leith to co-operate in procuring this object, for if no arrangement is entered into, then the present contract with Government keeps Leith in thralldom for forty or fifty years; because, while the town of Edinburgh and the creditors of Edinburgh have claims upon the docks and harbour, which they can establish by law, there is not the most distant probability of the Crown violating engagements with other parties in order to favour the town of Leith.”

While Leith and Edinburgh were thus ventilating their views, the Government, which had so large a stake in the matter,—to the extent of £238,000,—had not been idle spectators of the controversy. A Select Committee on Leith Harbour had been appointed, and shortly after Mr. Adam Black's *View* appeared they

issued their report. It was calculated to cause uneasiness to the city and its creditors. The report stated that amongst "the points of the greatest consequence to secure, was to dis sever the connection which at present exists between Leith and the corporation of Edinburgh, on conditions which shall be just to that body." It also recommended that mutual sacrifices and concessions should be made by all parties. In regard to the port, the report dwelt on the necessity of "vesting the property and management of the port in Commissioners, under suitable regulations, which should provide for its maintenance, and for any improvement of it, which upon mature consideration might be deemed practicable and expedient." In reference to these improvements, the report said: "When your Committee consider how important it is that adequate accommodation should be afforded to the trade and intercourse of this part of Scotland, they are prepared to say that no obstacles should be permanently opposed to any private enterprise which should offer a reasonable prospect of supplying the existing deficiency, —at the same time it is obvious, that if Leith remains unimproved, and a rival harbour is constructed in its vicinity, it is to be expected that its trade and revenues will be greatly diminished, the affairs of the city of Edinburgh involved in inextricable confusion, and the security of the Government debt, together with the claims of the other creditors of the Corporation, exposed to extreme hazard." This report was destined, at no distant date, to have important and far-reaching results.

About the time that this report was issued there came another, dated 5th August, by the "Royal Commissioners appointed to inquire into the State of

Municipal Corporations in Scotland." This Commission had been appointed, about two years previously, in connection with the Scottish Municipal Reform Act. The portion of the report dealing with Leith was lengthy, and it appeared in time to greatly embitter the controversy over the port, and other matters in dispute between Leith and Edinburgh.

The report begins: "The situation of the parliamentary burgh of Leith, and its local position in regard to Edinburgh, are too well known to require particular description. Notwithstanding the subordinate condition in which, as connected with the capital, it was formerly placed, and from which it has not yet been absolutely liberated, Leith is a separate burgh, and as such its affairs must be investigated." In speaking of the connection between Edinburgh and Leith, the report proceeds: "These charters show that hitherto the connection between the affairs of Edinburgh and Leith has been so close, that those of neither can be subjected to an examination absolutely separate. The revenues of Leith (with certain small exceptions), including those arising from the duties leviable either within the burgh or the port, have hitherto formed part of the revenues of Edinburgh, and the debts are, to a great extent, placed in the same position." The Reporting Commissioner then "begs leave to make the following suggestions relative to the future government and administration of Leith:—

"*First*.—The powers of the Magistrates and Council, elected under the 3rd & 4th William IV. cap. 77, appear, in terms of the 30th section of that Act, to extend over the whole territory within the parliamentary boundaries. But as questions have arisen how far these powers can affect the rights previously vested by

the Municipal Act (7th & 8th Geo. IV. cap. 112), and as questions may arise as to their operation on the rights of the Corporation of Edinburgh, their nature and extent ought to be defined. The Municipal Act should therefore be repealed, and all rights claimed by the Magistrates and masters should be invested in the Town Council.

“*Secondly.*—The whole territories ought to be consolidated under one jurisdiction, and the judicial powers of the Corporation of Edinburgh should be abolished.

“*Thirdly.*—The boundaries of the system of police ought to correspond with those of the burgh, and the harbour and dock police ought to form a part of the ordinary establishment.

“*Fourthly.*—The Corporation of Edinburgh should be obliged to apply the produce of the petty customs of Leith, in the first instance, for upholding the municipal establishment of that town, leaving at their disposal the free residue only. This suggestion is founded upon what the Commissioners deem to have been the primary purpose contemplated by the Crown in granting to a burgh a right to levy those customs either within its own territory, or within that of a dependent burgh, confirmed by the practice of the Corporation of Edinburgh in dealing with those of Leith. This power of indirect taxation is necessarily commensurate with the obligation to support the municipality and police of the community taxed. On this principle it was ruled that the petty customs of a royal burgh could not be attached by creditors. This doctrine is obviously conformable to the plainest dictates of justice and expediency. An obligation upon the inhabitants of Leith to support their own municipal establishment,

while the Corporation of Edinburgh was thus deriving a large revenue, would be inconsistent with the sound general principle which renders taxation and protection identical. The Legislature has deemed it right to erect Leith into a municipality necessarily subject to all the duties which that character imposes. If the Corporation of Edinburgh could appropriate the produce of the petty customs as part of the revenue of Edinburgh, the inhabitants of Leith must be subjected to an assessment, and would consequently be thus burdened with the expense of supporting their own municipal establishment, and at the same time of contributing largely towards that of Edinburgh. The soundness of these views has been, to a certain extent, acknowledged by the Corporation of Edinburgh, who, with the exception of the year 1834, have annually made an allowance, varying according to circumstances, towards defraying the expense of the establishment of Leith. Although the payment has been suspended for a short time, the obligation has been recognised in the most distinct manner; for in the state of their necessary expenses, lodged by the Corporation of Edinburgh in a suit between them and their creditors, the allowance to Leith forms a specific article. The amount hitherto allowed may probably not be sufficient; but, according to the principle on which this suggestion is founded, an increase must be made sufficient to maintain in Leith such an establishment as shall be held necessary, either conformably to a general rule to be laid down by the Legislature, or the special circumstances as adjusted by the parties themselves, or by a court of law."

Finally, in an appendix to the report on Edinburgh, the Commissioners deal with the revenues and finances of the port, and, without going into these, the con-

clusions of the Commissioners may be summed up in the following sentence :—

“The docks and harbour of Leith, and the revenue thence arising, are liable at present to the burden of a debt so heavy as to leave it doubtful whether the Corporation of Edinburgh have any available interest in the property.

“Whether the property of the harbour and docks has hitherto been a source of profit or loss to the Corporation of Edinburgh, is a question on which there has been a difference of opinion. In so far as the Commissioners have been able to judge, it does appear to them that hitherto there has been loss, or at least that there has been no surplus which the Corporation could apply to purposes other than those connected with the harbour and dock property.

“The existing interest of the Corporation of Edinburgh and their creditors appears to be remote and inconsiderable.”

It can hardly be supposed that the statements and suggestions contained in the Burgh Commissioners' report would be acceptable, either to the city of Edinburgh or to its creditors; both therefore lost no time in quarrelling with it. On the 21st October there was read, at a meeting of the Town Council, a report by the Treasurer's Committee, “Relative to the Statements contained in the Report of the Burgh Commissioners concerning the Revenues of Leith,” etc.

The report begins: “The Committee has carefully examined that portion of the report on municipal corporations in Scotland remitted for its consideration, and will, as briefly as possible, proceed to state the result of its investigations. While, however, the Committee is constrained most decidedly to dissent from

the conclusions of the report regarding Leith matters, and on some other points, it is freely admitted that, notwithstanding the errors which may be pointed out, it embodies a mass of reliable information, and furnished many most salutary and useful suggestions and recommendations on other subjects.

“It is not the intention of the Committee to notice all the parts of this report which are considered objectionable, either on the ground of erroneous principle, erroneous calculation, or partial deduction; but only a few, as specimens, to show that even learned members of learned professions [the Commissioners were selected from the Faculty of Advocates] are not always endowed with absolute wisdom and impartiality, any more than the tradesmen and retail dealers who, according to their account, occupy the inferior status of Town Councillors.

The “specimens” were intended to show that the Commissioners were entirely wrong in their statements and conclusions as to the revenue, debt, etc., in connection with the port. “The whole report, indeed, on this subject bears such unequivocal marks of a bias against the true interests of the city of Edinburgh, as to resemble rather the pleading of a counsel for a party than the adjudication of an impartial arbiter.”

On 20th October Mr. Robert Christie, accountant to the trustees for the creditors, issued a report on the statements contained in the Burgh Commissioners' report. Mr. Christie criticises the report on much the same lines as the report of the Treasurer's Committee, and comes to much the same conclusions. It is noteworthy that in both the Treasurer's Committee's report and Mr. Christie's report great stress is laid on the assumed fact that the whole revenues from the port,

amounting to over £14,600, were the absolute property of the city, and that when the Government debt should be paid off, in about thirty years from that date, that sum would flow unincumbered into the city coffers. It is not too much to say that it was the prospect of this reversion, or its present value, which prevented the creditors from going to extremities, and which redeemed the city's affairs from utter hopelessness; hence the alarm when doubts, held not only by Leith, but by the Government-appointed Burgh Commissioners, were publicly expressed as to the reality of the windfall.

Leith again let its voice be heard in the matter, for on 2nd November a report, in the form of "Observations by the Aggregate Committee of Leith on the Statements recently published by the Town Council of Edinburgh and their Creditors concerning the Revenues and Expenditure at the Port of Leith," was approved. The following is an abstract:—

"When this Committee, on the 15th September last, lodged a statement of their views, as to the best mode of carrying into effect the recommendation of the Select Committee of the House of Commons, in regard to the improvement and better management of the harbour and docks of Leith, according to the arrangement entered into by the parties concerned, that they should each lodge with Viscount Melville such a statement,—they considered it desirable, in the first instance, to propose some principle for settlement of the question, instead of embarking the conflicting parties in altercation on its details. . . .

"While they do not admit any legal claims on the part of the Corporation of Edinburgh, or their creditors, to apply the revenues of Leith to any other purpose than to the maintenance and amelioration of the port,

they accordingly suggested a plan of compromise. Their proposal was, that the average amount of the receipts and expenditure of the revenues of Leith for the last ten years should be struck, and that the interest of the additional loan of £125,000, for further improvements (which they contend is the lowest estimate of the expense of such works as will prevent the erection of rival harbours or piers), should be deducted from the surplus arising on such average, and that the balance should be adopted as an annual payment to be made to the Corporation of Edinburgh, or its creditors, out of the revenues of the port, in all time coming, and be next in order to the payment of the interest of the proposed new loan of £125,000 ; and they further suggested that the disputed charges of berthage, flaggage, and bulkage, now the subject of process before the Court of Session, should be immediately settled by judicial reference, to enable the average to be correctly struck. . . . But a committee of the Town Council of Edinburgh, and the accountant for their creditors, having, on the publication of the report of the Burgh Commissioners in relation to the affairs of Edinburgh and Leith, publicly attacked that report, and endeavoured to support their objections to it by statements of the revenue and expenditure, which are very erroneous both in principle and detail,—the Aggregate Committee feel that they should not do justice to the mercantile and shipping interests of Leith if they allowed the statements to remain without contradiction. . . .

“The scheme which was brought forward some months ago by Treasurer Black, for effecting an arrangement, by which he hoped the creditors would compound for receiving a reduced rate of interest on

their debts, however, showed that the new Town Council were as deeply imbued as their predecessors with the spirit of retaining power, which seems to be inherent in burgh corporations; but the fallacious and inflated statements of Mr. Black, while calculated to retain the port of Leith in bondage to the Corporation of Edinburgh, were also calculated to raise exaggerated ideas in the minds of the creditors as to the value of their eventual interest in the docks and harbour of Leith. . . .

“It appears that while the Town Council are ostensibly professing a desire to follow out the recommendation of the Select Committee on Leith Harbour, a party of that body has been at work concocting another scheme, by which they hope the city may continue to retain the docks in their own hands, by ‘advances made from the shore dues.’

“The report of the Burgh Commissioners came forth in time to overturn this new scheme. That report most inconveniently promulgates the truth. It shows that the revenues of Leith were originally granted for the purpose of being ‘employed in building, enlarging, strengthening, and upholding the said port and pier of Leith,’ and not to form at any time ‘*a rich addition*’ to corporation funds, and also that it is the opinion of the Commissioners, that ‘the Corporation of Edinburgh do not appear to be a body well fitted for regulating those rates; for, although the interests of Edinburgh and Leith must be identified, when viewed upon a large scale, yet it is undoubted that there is a practical separation between even the mercantile classes of the two communities’; and they further state, that although part of the past evils may be ascribed to the former constitution of the

Corporation, yet, for obvious reasons, it is questionable whether the recent change is calculated to afford a remedy.'

"The members of the Town Council have, by their evidence given before the Burgh Commissioners, and their course of proceeding since the publication of the report of that Commission, strikingly illustrated the truth of the above paragraph. It will be seen from that report, that they have attempted to deceive the Commissioners into a misconstruction of the dock statutes, by assuming that £2000 a year had been adjusted by the calculations of men of skill as a sufficient sum for the improvement and maintenance of the works at Leith, while in point of fact no adjustment had ever been made on any such principle. The fact is, that a certain sum was placed under the sole control of the Dock Commissioners, to prevent a constant reference to the Town Council for small current repairs; all the obligations on the Town Council to execute necessary improvements and repairs being clearly preserved. . . .

"The very same witnesses, in endeavouring to explain the cause of arrear of interest on the Government loan, attribute it to 'the misapplication by the Corporation of the funds which ought to have been applied towards extinction of the interest,' and state that 'the monies drawn from the harbour and docks were massed with the ordinary revenues of the Corporation, and were applied to defray the annual expenditure,' and that 'recourse was had to this misappropriation in order to preserve the sinking credit of the Corporation.' . . .

"The Burgh Commissioners have adduced the most ample proof, that the merging of a number of trusts in

one municipal body has been most prejudicial to all those trusts ; . . . that in regard to charities, 'in all the instances in which the Magistrates had an undivided control in charitable foundations, they have misapplied the funds, and sacrificed the interests of the charities to the necessities or convenience of the Corporation.'

"In the matter of schools, the Commissioners state, that 'when the Town Council, in 1832, sold Dr. Bell's legacy out of the funds, to invest it on the ale duty, they deliberately betrayed the trust reposed in them by the testator'; that, as to harbours, 'the burgh governments have been frequently charged with excesses and usurpation,' and that the funds obtained by the Town Council of Edinburgh, on account of the clergy, 'have been directed to other uses, and have been imprudently administered.'

"In the general report of the Burgh Commissioners, they also state, in regard to the Corporation of Edinburgh, that 'devices of various kinds were adopted in order to satisfy the demands of pressing creditors, and to avoid a declaration of insolvency; and even when that declaration had become unavoidable, *states of affairs were exhibited which, upon examination, were found to be fallacious.*' . . .

"If there is any one trust for which the Corporation of Edinburgh has shown its incompetency more decidedly than another, it is clearly that of the port of Leith, and, looking either at the evidence before the Burgh Commissioners, or before the Select Committee of the House of Commons on Leith Harbour, the Committee trust that the Government will see the propriety of preventing any control or interference, on the part of that Corporation, in the future management of this port."

The report then goes on to examine in detail the statements of the Treasurer's Committee of the Town Council of Edinburgh and of the accountant for the creditors, and to show that their calculations, in regard to the revenues of the port, are erroneous; the Aggregate Committee, in fact, fall into line with the Burgh Commissioners.

About the same time that the above Observations were published, the Committee of Leith Dock and Harbour Commissioners submitted a case to Lord Melville, and issued a statement on the affairs of the port, in which they controverted many of the statements made by Mr. Christie in his report of 20th October. To this statement Mr. Christie replied in the form of "Remarks," on 11th November, with some degree of ill-temper, which perhaps is not to be wondered at. "It is worse than useless," he says, "to tell the city that it has interests merely remote or inconsiderable in Leith revenues; or to attempt to persuade the Town Council or the trustees that they are bound to expend this revenue in making improvements at Leith. There is no such obligation on them. . . .

"If the views put forth in the statement of the Docks Committee are entertained by the community of Leith generally, no arrangement with Government, or with Leith, can by any possibility be made. These views go to deprive the city of Edinburgh of its valuable property in Leith docks and harbour, without compensation. A result so extraordinary cannot take place. . . . Everything tending to it must be resisted by the city and by the city trustees to the uttermost, whatsoever the consequence to the town of Leith may be."

CHAPTER XXII

MR. LABOUCHERE'S REPORT

DURING this war of reports the Government had been quietly pursuing a course of its own. In consequence of the report of the Select Committee on Leith Harbour, a remit was made, on 25th September 1835, by the Right Hon. T. Spring Rice, Chancellor of the Exchequer, and Lord Melbourne, Prime Minister, to the Right Hon. Henry Labouchere to go to Edinburgh to investigate the state of its affairs and of the port of Leith, and to report upon them. This Mr. Labouchere did, and his momentous report was issued on 18th January 1836. As this report had important consequences for the city of Edinburgh, for the port of Leith, and for the future relations between the two, it is necessary to quote it somewhat extensively.

Addressed to the Right Hon. T. Spring Rice, the report begins: "In compliance with the wish expressed by yourself and Lord Melbourne in your letter of the 25th September, on the subject of the financial affairs of the city of Edinburgh, and of the affairs of the harbour and docks of Leith, I have visited that part of Scotland, and put myself in personal communication with all the parties who were principally interested in the question at issue, or from whom I

could hope to obtain information and assistance in forming a correct judgment upon them. In submitting the result of these inquiries to your consideration and that of the Government, I do so with a strong sense of the difficulties which are inseparable from a subject affecting so many public and private interests, which it is scarcely possible to estimate with accuracy, depending, as they do, in many cases on contingencies of the most uncertain description, and some of which are now, or are about to become, the subject of litigation."

Mr. Labouchere then deals with the state of affairs of Edinburgh, which may be summarised thus:—

Debts.—The debts due by the city of Edinburgh, exclusive of the Government debt, ale duty, and life-rent annuities commuted at about £1400, amounted at June 1833 to about £336,000.

The debt secured on the ale and beer duty amounts to £65,605.

The debt due to Government on account of Leith docks at 1st March 1835 was £236,741.

Property.—The value of the property of the city convertible into capital, exclusive of the value of certain property adjoining the docks at Leith, amounts to £183,735.

Revenue.—The amount of permanent proper revenue, including rents of church seats—£7000—may be stated at £22,000. The amount of net revenue drawn from the ale and beer duty may be stated at £2170.

Expenditure.—The sum allowed by the Court of Session for civic expenditure for the year 1834–35 was £8030, but, supposing a similar sum is authorised in each year hereafter, there will fall to be deducted a sum of £1000, charged for maintaining some of the

public streets, which in future is to be defrayed by the road trustees. Therefore the sum actually necessary for civic expenditure may be assumed as £7000.

Taking the debts of the city, exclusive of Government debts and commuted annuities, but including ale duty debt, at £402,000, and supposing the available property belonging to the city sold at, say, £186,000, and divided among the creditors, the produce would not yield more than 9s. 3d. in the pound, and the annual revenue of the city would, after such sale, be reduced to about £12,000, leaving a surplus of £5000 after defraying the annual expenditure of the city, which sum of £5000 would yield rather more than $2\frac{1}{4}$ per cent. on the balance of the debt. But if to the £5000 is added the free produce of the ale duty, £2170, as permanent income, the rate of interest in the balance of debt will be increased to $3\frac{1}{4}$ per cent. The creditors, however, maintain that the common good, or petty customs, viz. £4720, is the utmost that is legally applicable for the civic expenditure, and, calculated on this basis, the interest on the balance of debt would be about $4\frac{1}{3}$ per cent.

The preceding estimate includes, as claimable by the creditors, not only the ale duty, but the rents of the church seats, impost on wine, and burgess fees, amounting to £8250, the claim of the creditors to which is disputed.

Supposing that no part of the city property is brought to sale, there remains a surplus revenue of £13,600, which will yield 3 per cent. on £336,000, and enable a sum of £3520 to be annually set aside for a sinking fund.

But this view rests upon grounds too favourable to the creditors. It is highly probable that none of the

disputed revenues—£8250—are liable to be attached ; it is also highly probable that the Act imposing the ale and beer duty, which expires in 1837, will not be renewed, and the debt due thereon—£66,000—will become a dead burden on the city.

In this view, the city debt, including the ale duty, would be £402,000, and the revenue, after deducting commuted annuities, civic expenditure, and disputed revenue, would be £5350, which would hardly yield $1\frac{1}{3}$ per cent. on the debt.

“It appears to me that it is in vain to calculate, as has been done on the part of the creditors, on a large surplus annual sum, anticipated to arise from the revenues of the harbour and docks of Leith, falling to be divided among the creditors so soon as the debt due to the Government is paid off, because, in the first place, if matters remain as they are at present, the debt cannot be paid off sooner than in twenty-nine or thirty years hence. And, in the next place, to preserve even the present trade of the port of Leith, a large sum of money will require to be expended on improvements in the harbour and docks, and in providing additional accommodation for shipping. . . .

“Taking, then, all these circumstances into view, I believe that it may be safely assumed that the creditors of the city of Edinburgh, even in the most favourable view of the case for them, cannot expect to receive more than 2 per cent. interest on the amount of their respective debts. . . .

“While, therefore, it is for the advantage of all parties interested in the final adjustment of the affairs of the city of Edinburgh, and in the prosperity of the port of Leith, to meet each other,—in the words of the Select Committee of the House of Commons,—‘in a

spirit of mutual sacrifice and concession,' it will be to none more so than to the creditors of the city of Edinburgh, because I feel confident that it can only be on the express condition of the creditors giving up a portion of their debts that Government will feel themselves justified in proposing to Parliament to remit the whole or any part of the claim which the public have against the harbour and docks of Leith, and in taking measures to secure to these creditors a steady percentage in the shape of interest on the remaining portion of their debts."

The financial affairs of the port of Leith are then gone into, which also may be summarised :—

The debt due to Government at 1st March 1835 was £236,741.

Harbour and Shore Dues.—The city of Edinburgh has absolute right of property in the harbour and shore of Leith, and in the dues of every description accruing therefrom excepting the merk per ton, which belongs to the ministers of Edinburgh. By the Act of Geo. IV. cap. 105 the city is empowered to retain annually from the merk per ton the sum of £480 as an equivalent for the proportion required to be advanced by the ministers of the sum of £28,000 directed to be expended on the eastern pier.

Docks.—The docks, and the grounds purchased in connection with them, are also the absolute property of the city. But the dock rates and dues are subject to a debt of £236,741 due to Government, for the payment of which debt Government holds security over the docks and harbours, and whole revenues of both. As soon as the debt is paid off, "the whole houses, warehouses, buildings, and areas adjacent thereto, together with the feu-duties and rents thereof,"

become the property of the city. These houses, etc., valued at £60,201, yield an annual rental of £1936.

Debts due to the City of Edinburgh.—There is due to the city, and ultimately falls to be paid from the revenue of the docks, a debt of about £40,000, being the amount, including interest, of moneys advanced from time to time out of the ordinary revenues of the city, to make good the deficiencies of the revenue of the docks to pay the annual interest and sinking fund on the Government debt. There is also due to the city, on account of advances made by the city out of ordinary revenue, including interest, and which falls to be paid out of the pontage dues, a sum of upwards of £40,000. The annual net receipts of the dues, however, do not average above £1050, so that the debt is now irredeemable, and consequently the pontage dues may be considered as a part of the permanent revenue of the city. Both these debts are postponed until the Government debt is paid off, and when that shall be accomplished the docks and the revenue from the docks will belong to the city of Edinburgh as the sole creditor.

Revenue from the Harbour, Docks, etc.—The annual revenue of the port, exclusive of the merk per ton, may be stated at £14,000, from which falls to be deducted £10,350, interest and sinking fund, on Government debt, leaving a balance of £3650. But in 1839 the annual payment to Government will be £12,750, and the balance will then be £1250.

The Dock Commissioners, however, maintain that, on an average of nine years, from 1827 to 1835, the amount of the revenue ought not to be estimated at more than £11,890 per annum.

On the other hand, it is maintained by the trustees

for the creditors that an average of nine years is not a just criterion by which to judge of these revenues, and that on an average of the last two years the revenue is within a trifle of £14,000. All parties agree in setting forth the amount of free revenues in 1833-34 as £14,816, and the revenue in 1834-35 as £14,500, so that, taking into account exceptional expenditure, the annual revenue may be fairly set down as £14,000.

To ensure the permanent revenue of the port at either the less or the greater sum, it is apparent that a thorough revision of the dues now levied must take place. If this be done, it is anticipated that the relief afforded will be the means of increasing, to a very considerable extent, the trade and revenue of the port. It is necessary also that suitable accommodation be provided for vessels of larger tonnage, so as to put Leith on a footing with rival ports; and it is calculated that a sum of not less than £70,000, and probably amounting to £125,000, will be required. But in the present state of the affairs of the city the borrowing of even £70,000 is quite impossible. The Government, however, would be warranted in recommending a great concession on the part of the public, provided that the other interested parties co-operate with them to obtain these objects of general utility which can alone justify such a measure.

The Government should therefore reduce the amount of their present debt one half, and postpone the remainder without interest. But, as this sacrifice would neither be just nor practicable if the creditors were to reap the sole benefit of it, this boon on the part of the Government ought to be granted on the express condition that the creditors agree to a reduction of 25 per cent. on the amount of their

debts, and accept of interest at 3 per cent. on the remainder.

Supposing the above suggestion acted upon, and £125,000 borrowed for dock improvements, there would remain a surplus of dock revenue, after deducting £5000 as interest at 4 per cent., of £9000. This balance it is proposed to appropriate by paying over £6000 annually to the city of Edinburgh, in full of all their heavy claims on the harbour and docks and adjacent grounds at Leith. In consideration, however, of the city getting this sum mainly in consequence of the surrender by Government of the security on the harbour and docks, it would be fair to stipulate that £2000 should be paid to the ministers of Edinburgh in lieu of the "merk per ton," and that £2500 should be annually appropriated to the College and High School, and other schools formerly on the burgh establishment, as the public have a peculiar interest in upholding these institutions. The remaining £1500 it is proposed to apply to the ordinary expenditure of the city, over and above the sum now allowed for that purpose by the Court of Session. Of the remaining £3000 of dock revenue, it is proposed that £2000 be annually put aside to form a sinking fund for the payment of the £125,000, and the remaining £1000 to be applied, along with any surplus revenue that may hereafter arise, in reducing from time to time the dues that weigh most heavily on the trade and shipping of the port.

"Considering that Leith is, in fact, a separate town from Edinburgh, and has been by a late Act of Parliament erected into a parliamentary burgh, and that she has no revenues of her own by which her municipal government can be supported, I would submit to you that, in whatever arrangements may

take place between His Majesty's Government and the city of Edinburgh respecting the debt due by the latter, the interests of the town of Leith must not be lost sight of, and with this view the city of Edinburgh should be required to yield to Leith the annual sum now paid to Edinburgh in lieu of the fleshmarket customs, amounting to about £84, together with the arrears thereof, amounting now to nearly £500, and to grant to Leith all the other customs exigible there, and presently paid over to the city of Edinburgh, amounting to between £400 and £500 per annum.

"Should the ale and beer duty be renewed, it is also suggested that Leith be allowed to collect and retain the amount of the duty leviable in Leith, on the understanding that Edinburgh shall be relieved from the proportion of the expense of the collection corresponding to the sum so allowed to be retained."

In concluding his report, Mr. Labouchere classifies the result of his observations as follows:—

"I. His Majesty's Government to give up one-half of the debt now due on account of the docks at Leith, amounting to £236,741, 3s. 6d., and to postpone the remainder, without any interest being allowed to accrue thereon.

"II. The creditors of the city of Edinburgh to make a deduction of 25 per cent. from the amount of their debts, and to accept transferable bonds, bearing interest at 3 *per cent.*, for the remaining portion of their debts.

"The interest to be secured to the creditors, by virtue of an Act of Parliament, on the whole revenues of the city, after deducting such a sum as may be agreed upon as being necessary for carrying on the civic affairs of the city.

“ A clause to be inserted in the said Act, authorising, in the event of any deficiency of the aforesaid revenues, to pay the creditors the full amount of interest on their respective debts as reduced, an assessment on the inhabitants of the ancient and extended royalty to make good such deficiency. The bonds to be redeemed from time to time as funds shall accumulate for that purpose.

“ III. The Act of the 7 Geo. iv. cap. 105 to be repealed, and the management of the harbour and docks vested in a small body of Commissioners, independent of, and totally unconnected with, either of the Town Councils of Edinburgh and Leith.

“ The Commissioners to have power to borrow money on the security of the revenues of the harbour and docks, to an extent not exceeding £125,000, for the purpose of improving the harbour and docks and affording additional accommodation for steam-packets and vessels of larger tonnage.

“ The Commissioners to have power to abolish, reduce, and consolidate the dues now exigible on goods and shipping.

“ The Commissioners to pay annually to the city of Edinburgh, out of the revenues arising from the harbour and docks, the sum of £6000, free of any deduction whatever, or £4000 and the city to retain the property and feus and rents after mentioned. The said annual payments to be burdened as after provided.

“ The Commissioners to apply a portion of the surplus revenue of the harbour and docks in further reducing the dues leviable on goods and shipping, but that only at such times, and under such circumstances, as they shall think proper, with the consent of the Lords of the Treasury.

“The whole surplus revenue, after such reduction of dues, to be applied towards the sinking fund.

“The Commissioners to keep regular accounts. The same to be annually exhibited, to be examined and docketed by person to be appointed for that purpose.

“IV. The Corporation of Edinburgh to receive from the Commissioners, for the management of the harbour and docks, an annual payment of £6000, free of any deduction whatever.

“V. The ministers of Edinburgh to be secured in £2000 annually, in lieu of the ‘merk per ton,’ proposed to be abolished; and certain trustees to be named on behalf of the College, High School, and other schools hitherto in the city establishment, to have £2500 annually. These two sums to be paid free of any deduction whatever, and to be preferable claims on the common good and revenues of the burgh. The ministers of Edinburgh to be relieved from the annual payment of £480, now made by them as their equivalent for the expenses of the eastern pier.

“VI. The ministers of Edinburgh to have a right to fixed stipends, to be paid by the Corporation out of the common revenue of the city. The Corporation to collect the assessment necessary (over and above the £2000 before mentioned) to be levied on the inhabitants for paying these stipends.

“VII. The Corporation to have right to collect the rents of the church seats, subject to such control, as to the rate thereof, if alleged by the minister of the parish to be exorbitant, as may be hereafter fixed.

“VIII. Any deficiencies in the revenues of the city to meet the purposes before specified, to be made good by an assessment on the inhabitants at large.

“IX. The debt due by the city of Edinburgh to the College, and secured on the ale duty, to be held as extinguished in consideration of the annual payment to be preferably secured to it.

“X. The city of Edinburgh to relinquish all claim on the town of Leith, as well as on the harbour and docks, and dues, and property adjoining the docks, in consideration of the £6000 to be annually paid them as before mentioned. The town of Leith to have right in future to levy their own customs and market dues, and the ale duty within their own precincts, if that tax is to be renewed.”

The parties whom Mr. Labouchere's report most seriously concerned were undoubtedly the creditors; and their trustees, at a meeting on 1st February, unanimously resolved, “That while the trustees are of opinion that it will be desirable for the creditors to make a reasonable deduction from their debts for the purpose of effecting a speedy settlement of the complicated affairs of the Trust, they consider themselves bound to declare that they cannot entertain the proposition now made.” In a report, dated 6th February, the trustees enter fully into the reasons for declining the proposal of settlement with the city. These reasons were simply a reiteration of well-worn arguments and statements favourable to their view of the question, already sufficiently dealt with.

“It humbly appears to your Committee that it is altogether a mistake to view the revenues of the city as belonging to the bankrupt community, and to hold the claims of the creditors as secondary to those of the bankrupt. . . . *The primary* interest in the funds and revenues of the city, obviously, belongs to its onerous creditors, who have *bonâ fide* lent to the

Corporation the money belonging to themselves and their families ; and every principle of justice and of law calls for the application of those funds, in the first instance, to discharge of those lawful debts, and reprobates every scheme by which that legal obligation can be evaded. . . . By the proposed arrangement, the town of Leith will be benefited to an extent far beyond what its most sanguine supporters ever contemplated, without any contribution being made by the town, or any one connected with it ;—A revenue will be secured amply sufficient for carrying on the government of the city of Edinburgh ;—The clergy will obtain the full amount of their demands. . . . The citizens will be relieved wholly or in part of the annuity tax. The College and schools of Edinburgh will be put in a better situation than they have ever hitherto been. . . . While all other parties are to be greatly benefited, the creditors alone are to suffer. . . . The proposal in Mr. Labouchere's letter ought not, so far as the creditors are concerned, to be agreed to."

This attitude of the creditors' trustees brought down upon their heads a shower of hostile reports from all quarters, each inspired by the fear that, should the creditors offer a successful opposition to Mr. Labouchere's proposals, the Government concessions would be lost. The Dock Commissioners, in a report dated 16th February, say: "As all the parties interested in the settlement (except the trustees for the creditors) seem to agree in approving of the scheme proposed by the Government, and as the *real* interest of the creditors is the only point which requires to be fully discussed, in order to a full and complete understanding among all the parties, it is of essential consequence that they should not adopt a rash or

premature judgment on the subject, founded on any conjectural or highly coloured statements by parties who may have publicly and rashly expressed an opinion that full payment would finally be obtained by holding out, and who are of course bound to abide by and to insist upon that opinion as correct; or by any party whatever whose personal or patrimonial interest would be promoted by a failure of the scheme of adjustment."

The Commissioners then dwell upon the extravagant claims of the creditors, and argue that a settlement can only be obtained on the basis of Mr. Labouchere's report.

On 23rd February the Treasurer's Committee of the Edinburgh Town Council issued a report, on almost identical lines with that of the Dock Commissioners. They threw themselves unreservedly into the arms of Mr. Labouchere, by adopting and emphasising his statements in regard to the affairs of the city.

As the position now taken up by the Treasurer's Committee was very different from that formerly maintained, it was thought necessary to guard against any charge of inconsistency which might be brought against them. "If they [the Committee] are now called to contemplate this subject under very different circumstances, and to consider the effect of a refusal to accept of the only means by which the harbour and docks of Leith can be saved from a ruinous rivalry, they conceive there will be no inconsistency in their arriving at results very different from their former conclusions."

On the same date that the above report was issued, namely, the 23rd February, the Aggregate Committee issued "Observations" on the trustees' report. In the

course of their remarks the Committee say: "When this Committee saw the statement which was submitted to the public in November last, by some of those acting for the creditors of the city of Edinburgh, they felt no scruple in declaring that the same spirit seemed to mislead the trustees as had before plunged the late Corporation of Edinburgh into the difficulties of bankruptcy so unfortunate for the city, and so injurious to all concerned with it. Most of the members of that Corporation now readily acknowledge the error they committed, in trusting to statements of others, instead of investigating for themselves; and yet it would seem that the creditors, who have a much deeper interest in the matter, are on the eve of being led into the same error.

"Instead of placing proper confidence in the judgment of an impartial Select Committee of the House of Commons, who have given a most distinct view of the ruinous result which must attend any longer delay in the settlement of the matters of Edinburgh and Leith, it appears that a portion of the creditors is disposed to place reliance on the visionary prospects held out by a Committee of the city's trustees. . . .

"It would seem, from the correspondence recently laid before the Leith Dock Commissioners, that the accountant for the trustees is not the only person connected with them who is quite aware of the effect of rival harbours, and yet would shut the eyes of the creditors to the certain ruin which must ultimately result to them, as well as to other parties concerned, *if Leith should remain unimproved*; for it appears that one of the Committee of trustees, who subscribed the report, attaching a large value to the future surplus revenues of Leith, had very recently made another

statement under his hand, repressing his conviction, that, from measures in progress, "the trade of Leith must very shortly be *removed to a more convenient situation.*"

Besides these official utterances, there were various independent parties who offered their advice upon the subject, and at least three went the length of publishing their views in pamphlet form. The first of these, dated 15th February, on the "Justice and Expediency" of Mr. Labouchere's plan, by an "Edinburgh Burgess of 1786," considers Mr. Labouchere's proposal to cancel a part of the dock debt in order to make room for a further loan for extension or improvement, as uncalled for and unnecessary. Then there is the following curious statement: "I am not aware of any *public* grounds which gave to the city of Edinburgh and the port of Leith a right to claim the preferent exercise of this interference and superintending care on the part of the Melbourne Government, and in which so much solicitude is apparent. But perhaps other reasons might be found to mix themselves with the objects of Mr. Labouchere's mission to Edinburgh, and report, and in some degree account for the paternal anxiety which is evinced throughout the whole paper. It is well known that the present representatives of Edinburgh and Leith, are, two of them, members of the existing Government, and the third, Speaker of the House of Commons, all abundantly radical in principle, and devoted in conduct;—that nearly the whole of the Town Council are imbued with the same principles;—these measures being called for and advocated by their party generally, however mistaken they may be in many of the results to which they look forward. These three seats may be said to constitute the stronghold of

the Melbourne Administration in Scotland, and the object of their measures, at whatever sacrifice of public principle or property, seems to be, to give permanence to the influence of the party, by thus proposing to gratify to the full the hopes and expectations of their supporters." This was not the first time during the long controversy between Edinburgh and Leith that politics had been introduced. It is but just, however, to say that no party, even when the war was at its fiercest, ever thought of giving the discussion a political colour. The only attempts of this kind—and there were but few—were made by irresponsible skirmishers like "Edinburgh Burgess."

In "Considerations regarding the State of Affairs in Edinburgh," 23rd February, by W. H. Kerr, accountant, Edinburgh, the rights of the creditors to the very utmost they could get was upheld.

The third pamphlet, 30th March, gives, no less, the "Heads of a Scheme and Relative Bill" for raising £400,000 for the liquidation of the city debt in the form of tontine annuities, with benefit of survivorship, preferably secured over the city revenues.

When the pamphlet war came to an end, negotiations with Government commenced, although, in consequence of the rejection of Mr. Labouchere's scheme by the creditors, the Chancellor of the Exchequer had, on 4th March, in a letter to the trustees, warned them "that it would now become his duty to consider what arrangement it was expedient for the Government to make so far as the repayment of the loan was concerned." A short time after this the passing of the Trinity Harbour Bill in Committee seems to have alarmed all parties, and a deputation of the Town Council and of the creditors was sent up to London to

urge the appointment of another Select Committee to consider the city affairs. They prevailed, and the Committee was appointed in May. In this report the Committee declared, "They are prepared to acquiesce in the proposed surrender of one-half of the public debt, and in the present postponement of interest on the remainder as necessary for the improvement of Leith, and in the confident expectation of accomplishing other important public objects." The city creditors, however, definitely refused the terms of composition suggested in Mr. Labouchere's report, and, as on their acceptance of these terms depended the offer of the Government, negotiations came to a standstill.

Thus matters remained for a year and a half, until, in December 1837, the Corporation made an offer of compensation, namely, that the whole of the city debt should be compounded by a perpetual annuity of 3 per cent. on £100 bonds. This offer was accepted by the creditors, and a third Select Committee was appointed in May 1838, to consider the terms of agreement and the question of the Leith revenues. This Committee reported, "That it is expedient that the terms of the agreement on the affairs of Leith and Edinburgh should be carried into effect by an Act of Parliament, and that the interest payable upon the Government debt upon the Leith property ought to be postponed for that purpose, but that no part of the Government debt should be abandoned." The proposed Bill was accordingly carried through Parliament, the Government allowing the Trinity Harbour Bill to be thrown out, and on 27th July 1838 the Act commonly known as the "City Agreement Act" was passed.

CHAPTER XXIII

THE CITY AGREEMENT ACT

THIS Act (1 & 2 Vict. cap. 55) is entitled “An Act to regulate and secure the Debt due by the City of *Edinburgh* to the Public; to confirm an Agreement between the City and its Creditors; and to effect a Settlement of the Affairs of the said City and the Town of *Leith*.”

The preamble states, that “WHEREAS the affairs of the City of *Edinburgh* have for some years past been in a state of great embarrassment, and various difficulties have thence arisen in relation to a settlement with the creditors of the said city; to the beneficial management of the Harbour and Docks of *Leith*, the requisite improvement thereof, and the regulation of the rates and duties leviable thereat; to the commutation and securing to the Ministers of the City of *Edinburgh* of the duty of a merk *per* ton and pack payable to them upon goods brought into *Leith* and *Edinburgh*; to making provision for the expense of the College and Schools of the said City, and to the separation of the City of *Edinburgh* from the town of *Leith*; and it is most desirable that a remedy should be provided against the great injury and inconvenience arising from these causes. . . . And whereas an agreement has been entered into between the City of *Edinburgh* and its Creditors and the town of *Leith*, with a view to the

settlement of the various subjects herein - before enumerated; and a Select Committee was upon the fifteenth day of *May* last appointed to consider the terms of such agreement." . . .

Section 1 postpones the Government security over the harbour and docks of Leith to the annual payment of £7680 for purposes afterwards specified, and to such annual sums as may be approved by the Treasury for the management of the harbour and docks.

Section 2 further postpones the Government security to any loan, not exceeding £125,000, which may be effected by the Dock and Harbour Commissioners for the improvement of the port, provided that no such sum shall be borrowed, nor any security be granted over the harbour and docks, until the plans and estimate for such improvement shall have been approved by the Treasury. The Treasury also forego, for such time as they shall think fit, the interest, whole or in part, to become due on the amount of Government debt still owing, after deduction of the charges rendered preferable to the said debt.

Section 3 repeals such part of the Act 7 Geo. iv. cap. 105 as relates to the appointment of Dock and Harbour Commissioners, and vests the management in eleven Commissioners, of whom five are to be elected by the Treasury, three by the Town Council of Edinburgh, and three by the Town Council of Leith. No Town Councillor of Edinburgh or Leith is eligible to serve as a Commissioner.

Sections 4 to 9 deal with the manner of the election of the Commissioners, their meetings, qualifications, and how they are to sue or be sued.

Section 10 vests in the Commissioners the port or harbour of Leith, with all the docks and other works,

quays, houses, lands, or other property appertaining thereto, and all shore dues, harbour and dock rates, and duties and pontage, and all revenue of every description arising from the said port, docks, etc., hitherto belonging to or held or enjoyed by the Town Council of Edinburgh, and all powers and authority which the said Town Council possessed in relation to the port, and the appointment of officers, and the collection and management of the revenues.

Section 12 grants power to the Commissioners to borrow, upon the security of the harbour and docks and the revenue thereof, with consent of the Treasury, any sum not exceeding £120,000, necessary for the improvement of the port, which debt shall have priority over all other debts and securities affecting the port, excepting the said sum of £6780 and the annual sum for expenses of management. Power is also granted to the Commissioners to abolish, reduce, equalise, and consolidate the rates and duties leviable at the port, so as to render them more equal and just, provided that due public notice is given beforehand, and that the proposed alterations have received the consent of the Treasury.

Section 13 enacts that an annual statement of the establishment proposed for conducting the affairs of the port, and an estimate of the sum requisite for defraying the expense of maintenance, shall be submitted to the Treasury for approval; thereafter such sum shall be the maximum amount of annual expenses of the port. Provision is made for any unforeseen damage arising to the harbour and docks.

Section 14 enacts that, after the annual payment of the £7680, the annual cost of maintenance, and the interest on any sum borrowed by the Commissioners,

the whole surplus revenue shall be remitted to the Treasury, and if the sum so remitted shall exceed in amount the sum necessary to pay the interest of the Government debt so far as not postponed, the excess shall go in extinction of the principal of the debt.

Section 15 enacts that the accounts of the Commissioners shall be annually made up and submitted to the Exchequer, and that an abstract of such accounts shall be annually published.

Section 16 abolishes the "merk per ton."

Sections 17 to 23 direct how the said annual sum of £7680 is to be applied. The ministers of Edinburgh are to receive £2000 in lieu of the "merk per ton." £2700 and £480, the last being at present a burden affecting the "merk per ton," making in all £3180, are to be paid for behoof of the city creditors, to account of the annuities payable to them. £2500 are to go towards the maintenance and support of the College and schools of the city, in consideration of which the "College Debt" of £13,119 is extinguished. These three sums are to be in full of all claims by the city of Edinburgh, the creditors, and the ministers, against the harbour and docks of Leith.

Section 24 reserves to Government all rights, remedies, and powers for securing and recovering the debt.

Section 25 provides that nothing in the Act shall be construed to relieve the Commissioners of any obligation incumbent upon them in regard to the streets of Leith, or the maintenance and repair of them.

Section 26 enacts, "That from and after the passing of this Act the said City of *Edinburgh* and the town of *Leith* shall be and the same are hereby, in all the civil and municipal relations thereof, separated

and dissevered; and all rights of patronage and jurisdiction, and of levying any tax, rate, or assessment, custom, impost, or dues of any description whatever, heretofore belonging or competent to or claimed by the said City of *Edinburgh* in, out of, or over the town of *Leith*, excepting the Admiralty and other jurisdiction reserved by an Act 3 & 4 Will. iv. cap. 77 . . . shall be and the same are hereby abolished; and all claims for by-gone customs, rates, or duties, and interest or expenses relating thereto, or for or in consideration thereof, at the instance of the said City of *Edinburgh* against the said town of *Leith*, shall be and the same are hereby extinguished and annulled."

Sections 27 to 30 relate to the common good. The common good heretofore levied by the Town Council of *Edinburgh* within the town of *Leith*, or from the community thereof, is vested in the Town Council of *Leith* to be applied to civic purposes, and the Town Council of *Edinburgh* are bound to pay to the town of *Leith* the sum of £500 in lieu of all claims on account of the common good of *Leith*, heretofore drawn by the city of *Edinburgh*. No market customs are to be levied on goods *in transitu* between *Edinburgh* and *Leith*, or *vice versá* (28).

Section 31 places upon the Town Council of *Leith* the duty of maintaining certain roads and streets within the town, hitherto upheld by the County Road Trustees.

Section 32 empowers the Town Council of *Leith* to purchase the superiority of *Leith*.

Section 33 empowers the Town Council of *Leith* to purchase *Leith Links*, or requires the Town Council of *Edinburgh* to convey the *Links* to the former for an annual payment £25.

Sections 34 to 38 direct that the prices to be received by the sale of the superiority and Links of Leith are to be applied for the benefit of the city creditors, that the expenses attending the purchases are to be borne equally by Edinburgh and Leith, and that the Town Council of Edinburgh are to execute all necessary deeds.

Section 38 enacts that the boundaries of Leith are to be as described in the Act 2 & 3 Will. iv. cap. 65.

This is so much of the Act as relates to Leith; the remainder, sections 39 to 83, is occupied with the settlement of the city affairs on the basis already mentioned.

In regard to section 32, Leith did not purchase the superiority of the burgh, having obtained separate corporate existence; but, in connection with the Improvement Scheme of 1880, Leith purchased superiorities from Edinburgh to the amount of £4255, 12s. 6d. Edinburgh is now no more "superior" of Leith than any of the other "superiors" or owners of land in the burgh.

As empowered by section 33, Leith purchased the Links from Edinburgh, at the price named in the Act, namely £625; and, in the words of the Act, "the said Links being so purchased shall be preserved and remain as an open area in all time coming for the use of the public, as now existing and enjoyed; and it shall be competent to any two owners of houses situated in *Edinburgh* or *Leith*, or either of them, to insist at law upon the due observance of this provision in so far as regards the preservation of the said Links as an open area for the use of the public."

CHAPTER XXIV

NEW DOCKS

By the City Agreement Act provision was made for the improvement of the harbour, as former improvements and extensions had not effected all that was desired; they had, in fact, effected very little, especially in securing a deeper entrance channel, which, in consequence of the increasing use of large sailing vessels and steamships, had become absolutely necessary. Notwithstanding plans and reports without number, nothing had been done since 1828, when the East Pier was extended; but when the Government had virtually taken the port under its control, as a perusal of the Agreement Act will show it did, it was hoped that something would at last be accomplished. The first to come forward in the matter, in September 1838, was Mr. John Milne, who had formerly proposed a plan for forming a dock on the Middle Craig, but his scheme did not recommend itself to the Treasury. In the winter of 1838-39 Messrs. Walker and Cubitt, who had also formerly reported on the harbour for the Government, were again sent down by the Treasury to make a joint survey, and to prepare "such a plan as will secure to the port of Leith the additional accommodation required by its shipping and commercial interests, including the provision of a low-

water pier." The cost was not to exceed £125,000. These gentlemen, after inspecting the ground, and considering the previous plans of various engineers, differed from each other in opinion, and formed and recommended three different designs. Renewed perplexity and indecision followed; and though one of the designs by Mr. Walker, which adopted all the previous works as parts or bases of its whole scheme, seemed to recommend itself to the special approbation of the Lords of the Treasury, yet it was seven years after this, after another survey and plan (19th January 1847) had been made by another engineer, Mr. A. M. Rendel, before anything effective was commenced towards the remedying of the existing evils. In the previous year, 1846, the harbour affairs had once more been made the subject of special inquiry. The Tidal Harbour Commissioners, at a meeting held in October of that year, reported:—

“It is fully admitted that a long, flat foreshore, half a mile in extent, drifting sand, and other difficulties which had to be encountered in improving the harbour, were great, but not such that unanimity on the part of those that had the management, skilful engineering, and perseverance in carrying out the plan recommended, might not have overcome. The great principle of improvement at Leith, namely, to get a deep-water entrance to the harbour channel, whether to the westward or to the eastward, has been recognised by all the eminent engineers who have been consulted, yet, although more than a quarter of a million of public money has been laid out in its docks and other works (an advantage not enjoyed by any other harbour in Scotland), and its income latterly has exceeded £25,000 a year, still there is so great a want of accommodation

that vessels are obliged to lie four and five abreast alongside the quays; there is no patent slip or graving dock that can take in steamers, so that they have to be sent to Dundee or to London for repair, no low-water jetty for landing passengers and light goods, and the entrance to the harbour at low tide is all but dry. Indecision or half-measures seem to have been the bane of the port. It was obvious some twelve years since that nothing but a good low-water landing-place, to accommodate the passenger traffic between London and Edinburgh, could retain the large steamers at Leith. Instead of boldly grappling with the difficulty, taking the best advice, and at once deciding upon carrying out a wide substantial pier to the westward or to the eastward, as might have been found expedient, into 10 feet depth of water, an eastern pier, too slight and narrow, and too exposed to bear the traffic, or to lay a line of rails upon, has taken sixteen years to complete, and has just reached low-water mark. The consequence is, as might have been anticipated, that most of the steamboat traffic has been transferred to a neighbouring pier, and the loss to the harbour revenue is stated at £5000 a year. Complaints are made that the table of shore dues has not been revised for the last sixty years; that it is full of anomalies; that the dues are levied in Scottish money; and that dock dues are exacted of vessels that cannot possibly pass the dock gates; that rubbish and filth, without check or control, is thrown into the Water of Leith and washed down into the harbour; and that the fine steamers that trade between London, Hull, and Leith are daily subjected to lie aground, with the risk of strain to their hulls and to their machinery, in a dry harbour."

Early in 1847 a Bill was introduced into Parliament, not only to enable Mr. Rendel's scheme to be carried through, but to make clear, and where necessary to repeal, certain sections of the Agreement Act. The Bill passed the Commons, and the first and second reading in the Lords, without opposition, but at the third reading it was complained that it had been carried through in a hole-and-corner manner, no one knowing anything about it, and the third reading was only carried by a majority of six.

The objects of the Harbour Act (10 & 11 Vict. cap. 114) were: to restrict the public debt on the harbour and docks to the sum of £228,000—the amount due at the date of the Agreement Act of 1838; to indemnify the Commissioners of the Treasury for proceedings at variance with certain provisions of the Agreement Act; to empower the Treasury to apply the surplus revenue towards the improvement of the port; and to authorise the execution of Mr. Rendel's scheme, estimated at £135,000.

Another section of the Agreement Act which caused trouble was that which empowered the Harbour Commissioners to abolish, reduce, equalise, and consolidate the rates and duties. It was discovered that a power to "equalise" could not mean a power to increase the maximum rates formerly authorised to be levied. This blunder was repaired by a new Act, obtained in 1847 (10 & 11 Vict. cap. 25), granting power to alter the rates on goods and shipping. By this Act, the customs, rates, imposts, and market dues, commonly called the "petty customs," levied at the port and within the town of Leith, were abolished, and it was enacted that the Dock Commissioners should, in lieu thereof, pay annually to the Corporation of Leith the sum of £500.

The principal features of Mr. Rendel's plan, as thus sanctioned, were : that the eastern pier be extended 1000 feet to a point where there would be 8 feet of depth at low water of spring tides ; that the western breakwater be converted into a pier, and extended 1750 feet in a direction north by west and be made substantial enough to bear a railway ; that a low-water landing-place be formed at the extremity of the West Pier, 350 feet in length, well sheltered, provided with every accommodation, having around it 9 feet of depth at low water of spring tides ; that the channel or fairway be so deepened by dredging as to have 20 feet of depth at high water of neap tides, and 25 feet at high water of spring tides ; that a new dock be formed contiguous to the existing east dock, 700 feet in length and 300 feet in width, thus comprising an area of $4\frac{3}{4}$ acres, with 1900 feet of lineal wharfage, averaging 100 feet in width ; that this dock be so excavated as to have fully 21 feet of water at the lowest neap tides—that its gates be 60 feet wide, so as to afford ample scope for the passage of the largest sea-going steamers, and that its walls be formed of substantial masonry, except on the outside to the north and the west, to admit of the construction of graving docks at a future period. The estimated cost for the piers and the channel was £79,000, and for the new dock £56,000—altogether £135,000. The works were begun and carried forward with all possible expedition, and the dock, named the Victoria Dock, was opened in 1852. The whole new works became fully available in the course of 1855. The quays then had an aggregate length of 8400 feet, and were well furnished with cranes and sheds. There were five graving docks ; and the construction of another, on

a great scale for vessels of the largest class, was effected in 1859-62. The cost of this, and of all the works connected with it, is said to have been £100,000. The outer bulwark is 1200 feet long, and 20 feet high; the dock itself is 382 feet long, and has an iron caisson in lieu of flood-gates.

The year 1860 saw the last of the Government debt. The Harbour and Docks Act (23 & 24 Vict. cap. 48), passed 19th July, cancelled the debt of £228,000 for a present payment of £50,000, the Act authorising the borrowing of that sum for the purpose. The removal of this debt, which had hung like a millstone round the neck of the port, was celebrated by the citizens by the ringing of the church bells and by displays of fireworks.

So rapid was the increase of trade that it was found necessary, ten years after the opening of the Victoria Dock, to still further extend the dock accommodation. In 1862 Mr. A. M. Rendel (now Sir A. M. Rendel), along with Mr. Robertson, of Leith, prepared plans for a new dock, which were approved by the Commissioners, and work was commenced in 1863. This extension covered 62 acres of the east sands over which the tide flowed, and required over five years for completion. It was estimated to cost £341,000. A sea wall, on the north, begins at the east breakwater, about 650 feet seaward of the entrance to the graving dock, and runs 3800 feet eastward, and a bank begins at the eastern extremity of this. This dock, named the Albert Dock, has an area of $10\frac{3}{4}$ acres, and is therefore nearly double the size of the Victoria Dock. It was fitted with all the newest appliances, and at the time was one of the most completely equipped docks in the kingdom. It is

worthy of remark that in this dock hydraulic appliances, made by Sir William Armstrong, were erected—the first in Scotland. The Albert Dock was opened by Provost Watt on the 21st of August 1869 with some ceremony.

As the Albert Dock was situated on the eastern side of the harbour, and therefore entirely disconnected with the older docks, a massive iron swing-bridge, worked on the hydraulic principle and carrying two lines of rails, was thrown across the harbour, between the Victoria and Albert Docks. This bridge is known as the Victoria Swing Bridge. The clear span is 120 feet, and until recent years it was the largest swing-bridge in the kingdom.



LEITH PIER ABOUT 1840.

CHAPTER XXV

THE QUEEN'S VISIT IN 1842

IN 1838 the population of Leith was 25,855; the parliamentary and municipal constituency was 1265; and the number of inhabited houses was 1891.

The next year, 1839, James Reoch was elected second Provost of Leith, and Andrew Rutherford, Esq., Lord Advocate, was returned to Parliament for the Leith Burghs, without opposition.

In the year 1842, just twenty years after the visit of George IV., Leith was again honoured by the presence of royalty.

On 3rd September 1842 Her Gracious Majesty Queen Victoria, accompanied by the Prince Consort, passed through Leith. This event is noteworthy as being the first occasion on which Her Majesty visited Scotland. The steamer with the royal party on board dropped anchor at an early hour of the morning in Leith Roads, and a messenger was at once sent ashore to intimate to the Provosts of Edinburgh and Leith the intention of the Queen to land at Granton at six o'clock a.m. The messenger seems to have been conducted first to Bailie Hutelison's house in Bernard Street, which he reached about two a.m. The Bailie, who was ever jealous for the position and interests of Leith, sent the messenger on to give the

official information to Provost Reoch, who then resided at the Links ; and he, at the same time, despatched his servant to rouse the other Magistrates, and got his carriage ready to drive them to Granton. By his expedition—although it was often sinisterly, though without any foundation, attributed to the Provost's tardiness in putting the Queen's messenger on his errand to the Lord Provost of Edinburgh—the honour of receiving Her Majesty on landing fell to the Provost and Magistrates of Leith, and the late arrival of the civic dignitaries from Edinburgh is matter of history, and was at the time amusingly satirised in verse.

At seven o'clock the vessels got under weigh, and on passing the port of Leith Her Majesty was greeted with a royal salute from the Fort. As the royal yacht slowly approached Granton, Her Majesty was seen on deck, and appeared to be in good health and spirits, conversing with all around her, looking extremely well. At about half-past eight o'clock the royal yacht approached Granton Pier, towed by the *Black Eagle*, and in a few minutes the anchors were dropped. The Duke of Buccleuch, Lord Liverpool, and Sir Robert Peel shortly afterwards went on board and paid their acknowledgments to Her Majesty and Prince Albert, and preparations for landing were immediately made.

Meanwhile, notification of the Queen's approach had been given in Edinburgh by two guns from the Castle at half-past seven o'clock, and immediately the whole city was a scene of complete commotion. Numbers hastened to the Calton Hill, where they saw the royal squadron majestically advancing from its anchorage. The road to Granton Pier, however, was the central point to which the whole populace flocked, and it was choked with a dense throng, on foot and in every

description of vehicle, hurrying forward to catch a transient glimpse of the royal train. The morning was so gloomy and lowering that a very general impression prevailed that Her Majesty's debarkation would be delayed till the forenoon. These expectations were, however, destined to be disappointed.

Her Majesty landed at five minutes before nine o'clock. Having been conducted to the gangway, Her Majesty was handed to the shore by His Royal Highness Prince Albert, and when she first set foot on Scottish ground the Queen was received by the Duke of Buccleuch, Lord Lieutenant of the County, who conducted her to her carriage under a canopy. The band immediately commenced playing the national anthem, "God Save the Queen." A royal salute was then fired from a field battery on Granton heights, followed by immense cheering from the sailors who manned the vessels collected round the pier, and from the crowd which had now assembled on the shore. Her Majesty, after interchanging courtesies with the distinguished persons on each side of the canopy, stepped into the carriage, which was open, Prince Albert taking his seat on her left hand. Her Majesty bowed in the most courteous and affable manner to the crowds on each side, and Prince Albert repeatedly took off his hat and acknowledged the cheers of the multitude.

The Provost and Magistrates having learned on Friday night that it was Her Majesty's intention to pass through Leith on the following day on her way from Dalmeny to Dalkeith, it was resolved to erect a triumphal arch in Great Junction Street in front of Bell's School, for the reception of Her Majesty.

This arch reached the whole way across the fine approach to the foot of Leith Walk. Over the



VISIT OF HER MAJESTY QUEEN VICTORIA TO LEITH. 3rd September 1842.

centre archway was placed a handsome crown begilt with gold; immediately beneath and somewhat apart from each other were the letters V and A, composed of dahlias and French and African marigolds; underneath that, again, was printed on a white ground the words "Welcome" and "Beloved Queen," with festoons of evergreens below.

At one o'clock on Saturday the various public bodies, agreeably to previous arrangement, assembled on the Links opposite to the High School, and passed from thence to Great Junction Street. The scene was a very animating one, the whole line of the road as far as the eye could reach from the foot of Leith Walk to Queensferry Road being one dense crowd.

At twenty minutes from five o'clock the first gun of the royal salute from Leith Fort announced that the Queen was now entering the burgh of the ancient port of Leith. The procession advanced amidst the most deafening cheers, headed by a party of the Inniskilling Dragoons, the royal carriage being guarded by a party of the Archers.

As the royal carriage approached the triumphal arch, the bands struck up the national anthem, and when it reached that point the Provost and Magistrates, who were attired in full court costume and their robes of office, descended from the platform which had been erected for their accommodation. Provost Reoch, approaching the royal carriage, which immediately drew up, addressed Her Majesty as follows:—"Most Gracious Sovereign,—Permit me, as the Chief Magistrate of this your ancient port of Leith, to express the joy and heartfelt pleasure which pervade all classes of your Majesty's subjects in this town on this your Majesty's first visit to your ancient kingdom of

Scotland. Accept of our thanks for your Highness's condescension in honouring our town with your presence, and receive our most sincere assurances of gratitude, loyalty, and devoted attachment."

Her Majesty received the Provost's address in the most gracious and condescending manner, and, after a few words of congratulation by the Provost to Prince Albert on his welcome visit to Scotland, the royal cortége then proceeded to Dalkeith Palace, Her Majesty's carriage being immediately followed by one containing the Provost and Magistrates. The rain was falling by this time, but the Queen still kept the carriage open. The royal party and their attendants passed the foot of Leith Walk at ten minutes before five, amidst the joyous shouts of the immense crowd congregated there to get a sight of their Queen. At this time His Grace the Duke of Buccleuch was riding alongside of the carriage of Provost Reoch in friendly conversation with him, His Grace conveying in Her Majesty's name her sense of the manner in which the Magistrates had made their arrangements for the reception of Her Majesty. The Provost and Magistrates continued to follow in their carriage along the road to the limits of their jurisdiction, a little beyond which the royal carriage was closed in consequence of a heavy fall of rain.

The scene on the Links was very striking. One vast mass of carriages extended over the whole space, while every spot from which a view of Her Majesty could be had was eagerly seized by the anxious spectators. The cheering on the appearance of the royal cortége was tremendous, and the Provost and Magistrates were repeatedly greeted on the line from the principal arch to Seafield Baths.



THE OLD HIGH SCHOOL.
(From photograph by J. MacKean, Leith.)

CHAPTER XXVI

MINOR EVENTS DURING THE FIRST HALF OF THE
NINETEENTH CENTURY

As has been before observed, Leith, as a seaport, participated to a large extent in the excitement of the long war with France. Not the least among the incidents connected with the war were the encounters which took place between the Leith smacks (which were always well armed) and the French privateers, which swarmed in the North Sea. One of the last of these encounters took place in 1805, when a privateer swooped down upon a smack, no doubt expecting to find her an easy prey; but, as frequently happened, the privateer caught a Tartar. The round shot from the smack's carronades told so well that the Frenchman was beaten off, having inflicted no damage.

In 1805-6 the Leith Grammar School (High School), situated at the north-west corner of the Links, was erected, by subscription. It was a handsome building in the Grecian style of architecture, with a small spire and clock.

In 1805 St. James's Chapel in Constitution Street was built on a site near the present edifice; the cost of its erection was £1610.

In 1806 the Leith Public Library was instituted.

In this year, also, on 26th July, the first number

of the *Leith and Edinburgh Telegraph and General Advertiser* was published by William Oliphant, jun., and continued until September 1811, when it was published for a new proprietary by William Reid & Son, Broad Wynd, but abandoned on 9th March 1813, having existed about four years and a half, and issued 483 numbers. It was immediately succeeded by the *Leith Commercial List*.

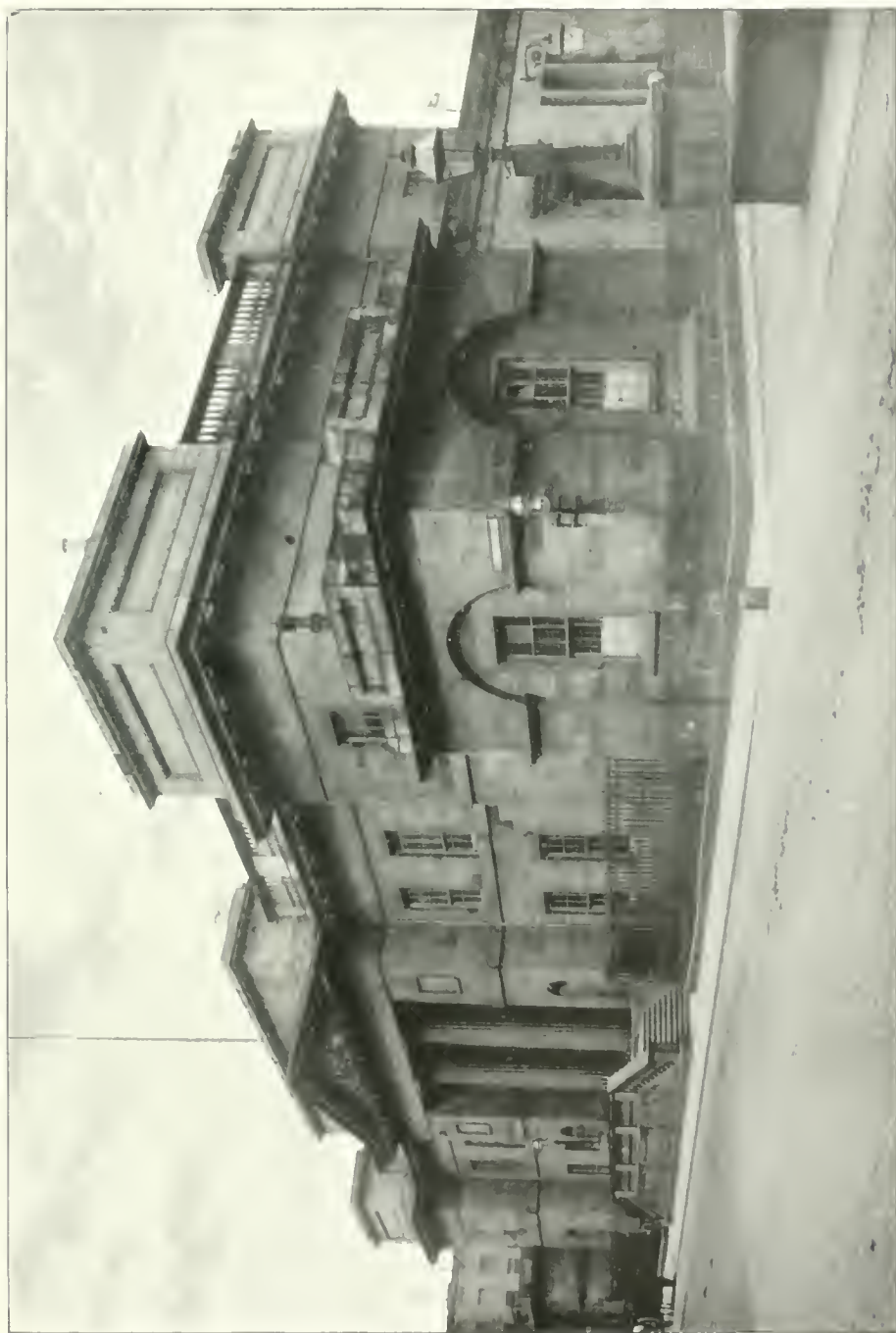
The *Leith Pilot* was first published in the year 1810.

The *Leith Directory* for 1811 gives Lady Nairn a residence in Pilrig Street, but she must have held this title through Scottish courtesy, as the attained peerage was not restored by Act of Parliament till 17th June 1824. She must have been Brabazon Wheeler, widow of Lieutenant-Colonel John Nairn, who, but for the attainder, would have succeeded as fourth Lord Nairn.

Sir Thomas Graham, Lieutenant-General in 1810, the hero of St. Sebastian, afterwards Lord Lynedoch, and proprietor of Balgowan, in Perthshire, began life as a Leith merchant. Another distinguished officer under Wellington, Sir James Kempt, Major-General in 1812, was a native of Leith. He was created a Knight of the Bath.

In 1812 the present Custom House was built, at a cost of £12,617. It is situated in Commercial Street, adjoining the harbour, and is a large and handsome building in the Grecian style. The double stair in front was erected a few years subsequently. The building occupies the site of the ancient sand port and ballast quay, and near the spot where H.M.S. *Fury* was built, about the year 1780.

Seafeld Baths, situated at the eastern extremity of the Links, overlooking what was then one of the finest parts of the beach, were built in 1813, at an



CUSTOM HOUSE, LEITH.
(From photograph by J. Hishop, Edinburgh.)

expense of £8000, raised in shares of £50. The edifice was large and handsome. Its lower floors contained seventeen hot, cold, and tepid baths, besides a large plunge bath, and the rest of the building was occupied as a hotel and lodgings for the accommodation of visitors. The institution, even from the first, was never a paying speculation.

William Hutchison was born in 1813, and died in 1859. He wrote *Tales and Traditions of Leith*,



LEITH CUSTOM HOUSE, 1812.

Flying Shots, etc. For some years he was managing clerk with Messrs. Fullarton and Co., publishers, and was one of the founders of the Mechanics' Library.

On 12th July 1814 Thomas White, a midshipman belonging to the *Unicorn* frigate, then lying at Leith, was placed at the bar of the High Court of Justiciary, charged with the murder of a seaman named William Jones, belonging to the same ship. The jury, after a lengthened trial, found him guilty of culpable homi-

cide; and the Lords of Justiciary, in consideration of the previous good character of the unfortunate young gentleman, sentenced him to fourteen years' transportation.

In 1816 the Leith Dispensary was established by Dr. Andrew Duncan, at 17 Broad Wynd, a little place of two rooms, with only one bed. Notwithstanding this, the society did excellent work among the poor of Leith. In 1825 the Dispensary was amalgamated with the Humane Society.

The Parish Church of North Leith, situated in Madeira Street, was built in 1816, at the cost of £12,000. It is adorned with a tetra-style Ionic portico, surmounted by a tower of three stages and an octangular spire. The first and second stages of the tower are quadrangular, the third is octangular, and all the three have columns at the angles—the first Doric columns, the second Ionic, and the third Corinthian. The top of the spire is only 158 feet from the ground; but, in consequence of the site being comparatively elevated, the whole steeple figures conspicuously in most exterior views of the town.

In 1817 the present Trinity House was erected, at a cost of £2500. It occupies a site on the west side of the Kirkgate, and is the successor of a venerable building erected in 1555. Trinity House contains several remarkable pictures, particularly a curious old view of Leith, a portrait of Mary of Lorraine by Mytens, a fine portrait of Admiral Lord Duncan, and David Scott's grand painting of Vasco da Gama rounding the Cape of Good Hope. Previous to 1797 the association, though calling itself "The Corporation of Shipmasters of the Trinity House of Leith," was only a corporation by courtesy, and possessed only the



NORTH LEITH PARISH CHURCH.

(Print block kindly lent by Messrs. Newnham & Co., Leith.)

powers of a charitable body; but in that year it was erected by charter into a corporate body, vested with powers to examine, and, under its common seal, to license persons to be pilots, and exact admission fees from licentiates. The income from all sources, inclusive of the proceeds of realised property, amounts to about £2200 a year.

Junction Bridge was built in the year 1818.

The markets of Leith, occupying the site of the old Custom House and Excise Office, east of the quondam jail in Tolbooth Wynd, were erected in 1818-19, partly by voluntary subscription and partly by a loan of £2000 from the Merchant Company of Leith. The areas were neatly fitted up with stalls, the whole having a commodious appearance. In 1865 one of the markets, known as the "Fish Market," was converted into a music hall, and occupied as such for a number of years. The other market was occupied by butchers, greengrocers, and others till comparatively recent years. In 1887 Messrs. Jeffrey & Son, drapers, in extending their premises, acquired the property.

In 1818 Morton's patent slip (for hauling up vessels for repair, instead of placing them in a dry dock) was invented, and the first one constructed was laid down by the patentee in his shipbuilding yard, below the present Junction Bridge. He attained much celebrity by his invention. Mr. Morton received orders from nearly all the principal seaports in the kingdom, and also from France and Russia, etc. Mr. Morton's shipbuilding firm is the oldest in Leith, and their yard is now situated near the Victoria Dock.

The Edinburgh and Leith Seamen's Friendly Society was instituted in 1820.

On 14th October 1821 the Chain Pier, Trinity,

was opened. It was erected by Sir Samuel Brown, R.N., at a cost of £4000, for the accommodation of the steam-packets plying between the ports of the Forth, these packets being virtually excluded from Leith owing to the shallowness of the water and the general inadequacy of the port. The pier is 500 feet in length, and has a depth of water, at low tide, of five or six feet. It served its purpose well enough until the increasing size of steamships necessitated their removing to Leith or Granton. The pier is now chiefly the resort of bathers.

William Deans was born in 1821, and died in 1861. He wrote a *History of the Ottoman Empire*, and was a contributor to magazines, etc. He was for some years a merchant in the town of Leith.

The last execution for piracy on the sands of Leith, within "flood-mark," occurred on 9th January 1822, when two foreigners named Peter Heaman and Francis Gautier, convicted of murder and piracy on the high seas, expiated their crime on a gibbet erected nearly opposite the foot of Constitution Street. They had seized the brig *Jane* of Gibraltar, on her voyage to the Brazils, and had murdered the master and another seaman, the incitement to the crime being 28,000 Spanish dollars, which formed a part of the brig's freight. They managed to navigate the vessel, with the compulsory help of two other seamen, to the coast of Ross-shire, where they sank her. They landed in the island of Lewis, where they were arrested.

Dr. Robert Dickson was minister of the first charge of South Leith for thirty-eight years, before the Rev. Dr. Grant. He died 25th January 1824, aged sixty-five. He was an able and much esteemed minister.

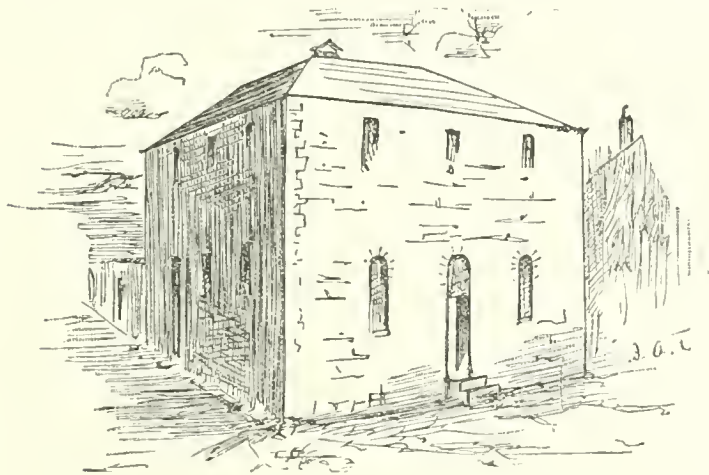
In 1827 St. Andrew's Place United Presbyterian



ST. ANDREW'S PLACE CHURCH AND HALL.

(Block kindly lent by Messrs. Neill & Co., Edinburgh.)

Church was opened. The building, which has a plain but elegant frontage in the Ionic style of architecture, was erected at a cost of £5000. The congregation, which claims to be the oldest Secession Church in Leith, was organised in 1770 as the Kirkgate Congregation, a branch of the General Associate or Anti-Burgher Church. In 1785 a split took place in the congregation, and the majority, who for a time were under no synod, in 1787 joined the Burgher Synod. The minority, whose connection with the Anti-Burgher Synod was uninterrupted, built a church for



ST. ANDREW STREET UNITED PRESBYTERIAN CHURCH, 1788.

From Sketch by JOHN A. FORD, Esq.

(Block kindly lent by Messrs. NEILL & Co., Edinburgh.)

themselves in St. Andrew Street, or Storey's Alley, in 1788. In 1820 the Burghers and Anti-Burghers united, forming the United Secession Church, and the two congregations again belonged to the same communion. Under the ministry of the late Dr. Smart the St. Andrew Street congregation increased to such an extent that a more commodious place of worship

became necessary, and eventually the present church was built.

The Leith Sawmills, above Junction Bridge, on the Water of Leith, were for many years in the occupation of the firm of Corbett, Borthwick & Co., afterwards of Ferguson, Davidson & Co., timber merchants, but have now been converted to other purposes. Timothy Burstall was their manager and engineer in the sawing and veneer department. He was a man of no ordinary scientific knowledge and skill. For many years his mind was engaged in trying to bring to perfection a locomotive engine to draw carriages along the public road or on rails. In 1827 he had brought his engine to such a state of perfection that several trials along the Queensferry Road were deemed very satisfactory. Mr. Burstall took his engine, which he named the "Perseverance," to Rainhill, near Manchester, when, at the trial of locomotives on 14th October 1829, it took its place along with three others to compete for the prize of £500; but to Stevenson's "Rocket" was adjudged the prize. Mr. Burstall's engine, although not successful, was much thought of and commended. The result was no disparagement to his scientific knowledge and skill. Mr. Burstall may be accounted one of the celebrities at that time in Leith in his profession of engineer and machinist.

The Court-house or Municipal Buildings, situated in the angle of Constitution Street and Charlotte Street, was built in 1827, primarily to afford accommodation for the Sheriff-substitute, appointed in accordance with the Police Act of that year, at a cost of £3300. It displays an elegant Ionic front on the side of Constitution Street, and has a Doric porch on the side of Charlotte Street. It is far superior, both in size

and ornament, to what might have been expected from its cost; and it contains accommodation both for the Sheriff Court and for the Police establishment, as well as the Council Chamber (elegantly decorated), and other town offices.



MUNICIPAL BUILDINGS.

In the year 1829 a great stir was made on the Shore of Leith by the landing from a London trader of the great gun called "Mons Meg." It had been removed from Edinburgh Castle to the Tower of London in 1754, and was restored to Scotland, mainly by the intercession of Sir Walter Scott with King George. It was no easy business to get Meg removed from the hold of the ship, and to get her safely placed on a large carriage made for the purpose. When Meg was finally adjusted on the carriage, eight strong

horses were yoked to it. It started along Bernard Street, and up Constitution Street, amid the huzzas and cheers of an immense multitude of people, who welcomed the return of an old friend. Meg will no doubt remain a fixture in Edinburgh Castle as long as Edinburgh Castle exists, as a relic of former days intimately connected with Scotland.

Dr. George Kellie was a physician celebrated in Leith for a long period. His death took place very suddenly one night, in 1829, in Bernard Street. When coming home from visiting a patient he fell down on the pavement and instantly expired. His name is found in the list of members of the Royal College of Surgeons as far back as 1808, and marked as an examiner.

About this period a great scare prevailed throughout the country, through bodies being lifted soon after burial and sold for the purpose of dissection. Stories are told by old residents of the measures taken to protect North and South Leith Churchyards. Chains were fixed across tombs and graves, remains of which can still be seen in the shape of iron rings attached to headstones, etc. Patrols were also formed, the inhabitants taking their turn nightly of watching the churchyards, armed with guns, etc. The body of a woman was found in a park in Ferry Road where North Leith Free Church now stands, near the roadway and about a foot from the surface. It was found to be that of a woman named Green, who had been buried a day or two before in North Leith Churchyard. It was thought the "snatchers" had been scared, and had placed the body where found for future "lifting."

In the beginning of 1831 Asiatic cholera appeared in Leith for the first time. In Edinburgh, where the

first case appeared on 27th January, some thousands died.

In 1833 a relic of Cromwell, consisting of an iron helmet, was found when clearing away rubbish at the entrance to the Citadel. It is now preserved in the Antiquarian Museum.

Dr. Bell's School, situated on the south side of Junction Street, was built in 1839, and endowed with £10,000. It was a large oblong edifice, extending backwards from the street, with handsome gable façade in the Collegiate style of architecture, flanked by low, small, battlemented towers, and having in its centre a beautiful canopied niche, with full-length statue. It has now been considerably enlarged, and transformed into a commodious Board school.

In the same year the Mariners' Church and School were founded. The building, designed by John Henderson, Edinburgh, occupies a site in the ancient Citadel. On 3rd May the foundation stone was laid in presence of many thousands who had assembled to witness the ceremony, amongst whom were the Magistrates and ministers of Leith, the office-bearers of the Edinburgh and Leith Seamen's Friend Society, shipowners and members of Trinity House, seamen and carpenters of Leith, office-bearers of the trades of Leith, the Grand Lodge of Scotland, and a number of other lodges, etc.

In 1840 the Leith Chamber of Commerce was instituted, it being incorporated in 1852.

Up to 1840 there stood a fine old building at the head of Sheriff Brae, facing the Coalhill, usually described as the residence of one of the Logans of Restalrig. The upper row of windows, which rose above the eaves of the houses, were elegantly sculptured, and bore various dates and devices, which are still

preserved, having been built into the north wall of St. Thomas's manse. One of these exhibits a shield with the device of a heart, surmounted by the *fleur de lis*,—at the side are the initials “I.L.,” and above is the date 1636; another has initials and date, “I.L., M.C., 24th December 1636;” a third has a shield and the initials “M.C.,” while the fourth displays different initials and much later date, “D.D., M.C., 1730.” Tradition assigned this house as the residence of that most attractive damsel, celebrated in Scottish song as “Tibbie Fowler o’ the Glen,” who was carried off by Logan, to the utter discomfiture of the remainder of the “ane and forty wooing at her.” This old mansion, described in 1572 as belonging to “Majestro Joanne Logan de Sherref Braye,” was taken down in 1840 to furnish a site for St. Thomas's Church.

St. Thomas's Church and Asylum were founded and endowed by Sir John Gladstone of Fasque, Bart., a native of Leith, as a memorial of his family and his own connection with Leith. They are a handsome range of edifices, embracing also manse and school, designed by John Henderson, Edinburgh, and constructed at a cost of £10,000.

In the same year the Leith Games were instituted.

Dr. Charles Anderson was an eminent Leith surgeon, who lived in a large house in Quality Street, which has been taken down and the site built upon by Messrs. Aitken & Wright. He was living in 1840, and at that time was a very old man. He was a member of the Royal College of Surgeons in 1808.

In 1843 St. John's Established Church was founded. It was originally a chapel-of-ease, but became a Free church from the date of the Disruption till 1867, when it reverted to the Establishment. The church,



LEITH HOSPITAL.
(From photograph by J. Hislop, Edinburgh.)

designed by D. Rhind, has an imposing front in the Early Pointed style, with octagonal tower. The architect's original intention was to have a lofty slender spire.

In 1850 the Leith Hospital was built and opened. In digging the foundation some relics of the Scoto-French War were found. The hospital, situated in Mill Lane, at the head of Sheriff Brae, owed its origin to Mr. John Stewart of Laverockbank, who in 1846 left £1000 for the purpose of founding a new Fever Hospital, the old Casualty Hospital in Quality Street having become quite inadequate for its purpose. The new hospital incorporated within itself the Casualty Hospital, the Dispensary, and the Humane Society, the whole then forming one institution. Additions were made to the original edifice in 1866, 1873, and 1889. In accordance with the Public Health Acts, the local authorities were compelled to provide completely isolated accommodation for infectious and contagious disease. In consequence of this the East Pilton Hospital, erected at a cost of £50,000, was opened in 1896. The removal of the fever patients from Mill Lane enabled the directors to completely reconstruct the edifice in accordance with the most modern requirements.

Near the hospital in Mill Lane stands South Leith Poorhouse, also erected in 1850.

CHAPTER XXVII

MUNICIPAL AND LOCAL AFFAIRS FROM 1846 TO 1885

FOR more than forty years after the visit of Her Majesty the history of Leith was comparatively uneventful. A busy seaport, it could not of course stand still and live, like its stately neighbour, largely on its reputation. It grew, as only a thoroughly mercantile port can, with the growth of commerce, at a rate not surpassed by any port in Great Britain. Such events during this period as were of any local importance may be briefly noticed.

In the early part of 1846 a Bill, promoted by the Magistrates of Leith, was introduced into Parliament for the abolition of the petty customs, but, owing to the threatened opposition of, among other bodies, the Corporation of Edinburgh and of the Dock Commissioners, the Bill was withdrawn on 2nd May. Although important as a measure of reform, the Bill was still not important enough to be worth the expense which would have been incurred by a serious opposition.

Next year a measure of much more importance was promoted. Since the passing of the last Police Act in 1827 Leith had passed through a momentous crisis in its history, and the conditions of local government were entirely altered. The new Bill therefore, introduced into Parliament in November 1847, was intended

to put municipal and police matters upon a satisfactory footing. The principal purposes of the Bill were, to combine the police and municipal establishments, to transfer trusts, mortifications, and endowments, to place the Road Trust under the management of the Council, to remove slaughter-houses, and to improve the sanitary condition of the town, and to increase the number of councillors if thought judicious. By the Leith Municipal and Police Act (11 & 12 Vict. cap. 123), passed 11th September 1848, the Act of 1827 was repealed, and the Magistrates and Council were appointed Commissioners for executing the police purposes of the Act.

About this time the country, owing to the Chartist agitation, was in a very disturbed state, and Leith, as well as Edinburgh, was kept in perpetual turmoil by the unruly mobs which constantly assembled. Fortunately for Leith, these mobs did not there commit the excesses which were perpetrated in Edinburgh, no property in the burgh being damaged.

The Edinburgh Municipality Extension Act (19 & 20 Vict. cap. 32) of 1856 annexed to Leith a portion of the Edinburgh police territory lying until then within the latter burgh. In their case for the Bill, the Corporation of Edinburgh said: "It is worthy of observation, that the same Committee which rejected the Edinburgh Municipal Extension Bill (of 1848), before its rising, passed a Bill for Leith, promoted by the Town Council, and cordially supported by the burgh member (Lord Advocate Rutherford), the leading object of the Bill being to abolish the then Commissioners of Police, and to transfer their powers to the Town Council. This Bill contained many of the provisions in Mr. Black's sanitary measure, from which

they were copied almost literally. Fortunately, the Leith Town Council did not require to ask for municipal extension, as their powers had all along extended over the entire parliamentary burgh. As already mentioned, at a later date the powers of the Edinburgh Paving Board, in regard to Leith, were transferred substantially to the Town Council; so that the burgh of Leith at this moment enjoys all that is proposed to be now asked for its neighbour in Edinburgh."

It was at this time (1856) that the Links came into the possession—subject to the restrictions mentioned in the Agreement Act of 1838—of Leith. The Links had engaged much of the attention of the Town Council ever since the time of Provost Hutchison (1845–48), who succeeded in having the open pestilential ditches which ran across the then uncared-for common filled up and levelled. About 1851 the Council erected drying poles on the Links, after having obtained the opinion of Lord Advocate Moncreiff, the then member for the burghs. The golfers, having regarded this action as an invasion of their rights, and one for which the Council had no legal sanction, brought an action against the Town Council, with the result that the Court ordered the poles to be removed. In 1870 the Town Council again attempted to erect drying poles, but they were interdicted on 23rd April. In 1853 a proposal was made for the purchase of the Links, which was afterwards effected, and in 1856 the town's title was completed by infestment. In the same year a portion of the Links was levelled for the purpose of forming a bowling-green and a cricket-ground. For nearly thirty years after this the Links remained practically neglected. In 1886, under the auspices of Provost Pringle, a

Provisional Order (49 & 50 Vict. cap. 62) was obtained, by which the Corporation obtained proper authority over the Links, and by which they were enabled to enact by-laws for their regulation. The Town Council were thus enabled to put this fine common into a state worthy of the town.

The year 1859 saw the beginning of the Volunteer Movement in Leith. In the summer of that year, when the fear of a French invasion pervaded the community, it was resolved to form a rifle volunteer corps in Leith. Provost Taylor showed himself active in promoting the movement, and in consequence of a meeting of those favourable to the scheme two companies were formed. In a short time, the corps having increased in numbers, officers were elected; an offer of services was tendered to the Government, which was accepted, and the corps was enrolled as the 32nd Volunteer Corps of the kingdom. It may be interesting to note that the original uniform was a dark grey tunic and trousers, but in a few years this was changed to scarlet tunic and dark blue trousers, which had a great influence in increasing the popularity of the corps. Its first lieutenant-colonel was D. R. Macgregor, Esq. The corps afterwards became incorporated in the 5th Volunteer Brigade Royal Scots.

In 1861 the population of Leith had increased to 33,628, and the number of inhabited houses was 2575; in 1862 the parliamentary and municipal constituency of the burgh was 1759, and the real property was estimated at £150,642.

In 1862 an Act was passed with which the name of the then Provost of Leith, William Lindsay, will always be associated. Shortly after becoming Provost, in 1860,

he directed his attention to certain improvements, suggested by his experience as a solicitor and a magistrate, which were necessary to the satisfactory working of the General Police Act of 1850. With the co-operation of the Lord Advocate and the principal burghs of Scotland, a Bill was framed, and in 1862 was passed by Parliament as the General Police and Improvement (Scotland) Act (25 & 26 Vict. cap. 101), better known as the Lindsay Act. By this Act, applicable to the whole of Scotland, the police boundaries of Leith were assimilated to the municipal boundaries defined in the Acts of 1832 and 1833, which are the existing boundaries at the present day. "The Act," as a contemporary print says, "contains the cream and substance of all past sanitary legislation; and in Leith especially it has already ended the strange anomaly of having men at the Council Board voting upon funds toward which the district they represented contributed nothing,—has united in one the entire burgh, and by so doing established a community of feeling and interest unknown before, and which cannot but result in benefit to the resident population. The Act also provides for opening up and renovating the closes and lanes and other densely-populated parts of old towns, which work, already begun in Leith, in course of time cannot fail to prove the greatest possible blessing to the thousands of our labouring people who, for want of proper house accommodation, are enduring suffering and disease, producing a death-rate equal to about double what it ought to be under proper sanitary arrangements."

For many years the state of the Water of Leith, at least so far as it affected the harbour, had exercised the minds of the inhabitants. Much of the drainage of

Leith, and also, to a large extent, that of Edinburgh, besides the refuse of the mills on the upper reaches of the river, collected in the harbour, from which the current and the tides were not sufficiently strong to remove it. The result was that the vicinity of the harbour was a hotbed of disease; and, especially when the tide was at the ebb, the stranger was obliged to hold his nose, lest the stench should prove too much for him. The first serious effort to cope with this evil was made shortly after 1860, when, on the initiative of Leith, and after much discussion and arranging, a scheme of drainage from Coltbridge to the sea was formed by the authorities of Edinburgh and Leith. Differences of opinion, however, remained in regard to the cost and maintenance of the conduit, and other matters, and the questions at issue were referred to Lord Justice-General McNeill for decision. His decision was given in December 1864, and it affirmed most of the contentions urged by the Leith authorities in their deliberations with those of Edinburgh. His decision fixed the liability of Leith at £10,000 instead of £25,000, as it would have been had the demand of Edinburgh been acceded to. The decision of the Lord Justice-General sufficiently explains the scheme and the consequent Act.

“After full and repeated consideration of the whole matter, I am of opinion, and give as my decision on the matters referred to me—1st, That the whole cost of constructing the entire proposed works from Coltbridge to the Black Rocks, after deducting the sum to be contributed thereto by the Leith Dock Commissioners, should be borne and provided for by an equal and uniform rate of assessment on all property within the district which shall be intercepted by the

proposed great conduit, and this without regard to whether such property happens to be within the bounds of Edinburgh and Leith; and 2nd, That the cost of afterwards maintaining the said entire works should in like manner be borne and provided for by an equal and uniform assessment on all such property as aforesaid. I understand that the proposed works in question, and the reference to me, have nothing to do with the drainage of that part of Leith on the north side of the harbour, for which a separate conduit is said to be contemplated."

The Edinburgh and Leith Sewerage Act was passed in 1864, and the first meeting under it was held on 19th July of that year. The Commissioners for executing the Act were elected by the Corporations of Edinburgh and Leith. This was the first Joint Trust formed between the two burghs. It may not be uninteresting to mention here a scheme propounded by "Old Voyager," a noted character of Leith, in the *Leith Pilot* for 1st October 1864. If his scheme had little else to recommend it, it had at least the merit of boldness and originality. It was to fill up the harbour from the lower drawbridge upwards, by arching it over, and forming a channel twenty feet wide for the passage of the Water of Leith. By the adoption of this plan it was claimed that all the smell and nuisance at low water would be effectively done away with, and that, moreover, ten acres of valuable ground would be reclaimed, upon which a fine street could be formed, with markets and public gardens.

By section 78 of the Edinburgh and Leith Sewerage Act it was provided that if any surplus of the assessments remained after the sums of money apportioned upon and called for from the Corporations of Edin-

burgh and Leith respectively by the Commissioners under the Act, after all expenses, interests, and borrowed moneys in connection therewith, as well as any loss that might be incurred, should have been paid or provided for, such surplus was to be held by the Corporation by which the same had been levied, and received and applied towards the purposes of the Act which might remain unfulfilled. In the year 1873 it was found that there was a surplus of about £3592, after providing for these moneys in the hands of the Commissioners, and which fell to be apportioned between the Corporations of Edinburgh and Leith in terms of that clause. The city of Edinburgh, however, claimed a much larger share than its proportion, and resisted the claim of Leith to get the rateable proportion contributed by that burgh to the Commission. The result was, that Leith had to present an application to the Sheriff to get her proportion of this surplus. The application was stoutly resisted by Edinburgh, the Corporation appearing by counsel in opposing the application of the burgh of Leith. The Sheriff, however, had no difficulty in holding that Leith was entitled to her proportion of the surplus, and gave decree accordingly with expenses to the burgh of Leith.

In 1869 the Water Trust was formed, being the second of the public Trusts in which Edinburgh and Leith are associated. For many years—indeed it might be said for a century—the grievances associated with the Leith water supply had periodically engaged the attention of the inhabitants. In former years the water supply of Leith had been drawn mainly from Lochend and from the public wells situated within the burgh. The supply from these sources, however,

was both bad and inadequate ; and when, in 1819, the Water Company was instituted, Leith was enabled to procure a much better supply of the precious fluid. It was not long before the evils generally attendant on monopolies began to be felt, and in 1825 an attempt—unsuccessful, however—was made to establish a new company. Continued grievances, litigation, and parliamentary struggles prompted another attempt to form a competing company in 1842, but this also proved unsuccessful. Out of this, however, first came, about 1845, the proposal to place the duty of supplying Edinburgh and Leith with water in the hands of a public Trust. Leith took a prominent part in this movement ; and probably it was owing to the persistently determined attitude of the burgh, that in 1856, when Leith threatened opposition to the Water Company's Bill, the Company in the May of that year agreed to give the town water free for public and sanitary purposes. At last, in 1869, the Water Company's concern was acquired, and by the Edinburgh and District Waterworks Act of that year the water supply was placed in the hands of a public Trust. The Trust is composed of the Lord Provost of Edinburgh, the Provost of Leith, and the Provost of Portobello as *ex officio* members, and seventeen representatives from Edinburgh, four from Leith, and one from Portobello. In connection with the Water Trust, other Acts were passed in 1874, 1876, 1877, 1880, 1889, and in 1895, mostly to enable the Trustees to augment the water supply, necessitated by the growth of the districts supplied. The first additional water supply was sought by the famous St. Mary's Loch Scheme, which was unsuccessful, a less adequate supply being subsequently obtained from the Moorfoots. The

latest supply is from the Talla Water, the works in connection with which are in active progress this year (1897).

In 1872 the Scottish Education Act was passed, and on 22nd April 1873 the first meeting of the Leith School Board was held. From the passing of the Act until his death, James Watt, some time Provost of Leith, was chairman of the Board. There are now twelve schools under the direction of the Board.

On 16th August 1872 Her Majesty Queen Victoria again visited Leith. She was received by R. A. Macfie, Esq., M.P., Provost Watt, the Magistrates and Town Council, etc., at the head of the Albert Dock, which she had come to see. She was "pleased to express her satisfaction with what she had seen, and with the reception she had received." The Queen's visit is thus described in her own words in her Journal: "Our road lay close to the sea, past Granton pier, where we had landed in 1842. Trinity came next, a place with some good houses, and then Newhaven—where we saw many fishwives, who were very enthusiastic, but not in their smartest dress—and then Leith, where there were numbers of people looking out for us in spite of the dreadful rain; but, indeed, everywhere the poor people came out, and were most loyal. We took a wrong turn here, and had to come back again to go to the Albert Docks—new and very splendid large docks, with the ships all decked out. We stopped a moment to speak to the Provost of Leith, who said the people were very grateful for my coming, and I have since had repeated expressions of thanks, saying the good people felt my coming out in the rain more than anything. We drove on along the shore, with a distant view of the island of Inchkeith, by Leith Links,

the London Road, the Cavalry Barracks, St. Margaret's Station, and Queen's Park, home" (*More Leaves from the Queen's Journal*, p. 120).

Exactly two years afterwards the town had the honour of again receiving royalty. The King of Denmark and Prince Waldemar arrived in the Forth on board the corvette *Jylland*, on Sunday 16th August. The Princess of Wales, who was in Edinburgh awaiting the arrival, proceeded to Granton, and, embarking on board the *Empress*, joined her father. The royal party, including the Princess, landed at Leith on the 17th and 18th, visiting Leith, Holyrood, the Castle, Hopetoun House, and the Theatre Royal, and embarked for Copenhagen on the 19th August.

Very curiously, exactly two years after the visit of the King of Denmark, Leith was once more visited by a member of the Royal Family. In 1876 the Duke of Connaught attended Her Majesty the Queen at the unveiling of the Albert Memorial, Edinburgh, on 17th August. He visited Leith, accompanied by several officers of the 7th Hussars, and was conveyed to the German warship *Niobe*, lying in the roads.

By this time, owing to the growth of the burgh and the advancement of sanitary science, defects in the General Police Act of 1862 began to be felt, and, in order to remedy this to some extent, a committee of the Town Council framed a Provisional Order. By this Order (40 & 41 Vict. cap. 200), obtained in September 1877, the Town Council and the Police Commission were amalgamated, and formed into one body. This Order must not be confounded with the Act of 1848, which only appointed the Town Council the Commissioners of Police.

CR. DOWNS. CR. BENNET. CR. WOTTERSPON. CR. WALDIE. CR. LINDSAY. CR. SIMPSON. CR. WILSON. CR. GOSMAN. CR. ADAM



TREASURER GARLAND. BAILIE WILKIE. BAILIE PENTLAND. BAILIE POTRIE. BAILIE MINTOSH. MR. COOPER, Town Clerk.
 THE LAST LEITH POLICE COMMISSION, 1877.

In 1877 a dispute arose between the Corporation of the City of Edinburgh and the Town Council and Dock Commissioners concerning a vacant piece of ground between Salamander Street and the sea. The Court of Session in 1703 had found that the ground must remain open for the benefit of the public, and the Police Commissioners had causewayed part of it. The Corporation of Edinburgh claimed it; and although the Town Council and the Dock Commissioners resisted the claim, on 10th July the Corporation of Edinburgh obtained decree in their favour.

In 1878 the failure of the City of Glasgow Bank occurred—a misfortune in which Leith largely shared. This failure contributed to an unusually depressed condition of trade; but, notwithstanding, a scheme, involving the expenditure of more money than had ever been spent in Leith for public purposes, was approaching completion, and suffered no check through this depression. This Improvement Scheme marks an era in the history of Leith, not only on account of the great benefits secured from a sanitary point of view, but on account of the sweeping away of most of the connecting links—picturesquely and historically interesting—between the Old Leith and the New.

The Improvement Scheme had its beginnings as far back as 1870. The insanitary state of the older portions of the town, or what might be called the “slums,” and the consequent high mortality, had for many years engaged the attention of Dr. Henderson, afterwards Provost, and in that year he began to take action in the matter. A Public Health Committee of the Town Council was formed, and a house-to-house inspection of all the streets inhabited by the working

classes was undertaken. This arduous work was continued for several years, until nearly all the houses in Leith had been visited. In some instances the state of matters revealed was terrible. There were regions—notably that between Giles Street and the Coalhill, until then a *terra incognita* to most people—composed of squalid lanes and closes, where the houses were so hopelessly ruinous and insanitary that the only means of improving them was to sweep them entirely away. In this district the death-rate was twenty-six per thousand, and the infant mortality fifty-six per thousand. The Town Council found that they had no power to deal with the insanitary areas under the existing statutes on so extensive a scale as the necessities of the case demanded, and the rates which they were empowered to levy under the Police Acts were totally inadequate for the purpose. The passing of the Artizans and Labourers' Dwellings (Scotland) Act in 1875, however, gave them their opportunity. An Improvement Scheme was framed, embracing nearly all the insanitary property in Leith; but this was condemned as much too costly. Another and more modest scheme shared the same fate. A third scheme, smaller and less expensive, was then proposed in 1879, and this was adopted by the Town Council. The area embraced by this scheme commenced at Messrs. Crabbie's works in Great Junction Street; from thence it ran to Yardheads, then to Cable's Wynd, and proceeded by way of St. Andrew Street to Coalhill. The line then ran parallel with the harbour to the corner of Tolbooth Wynd, thence up the street, and next ran southward by the side of the Public Institute to St. Andrew Street at the Vaults. At this point the line diverged eastward towards Giles Street,

stopped at Kemp's Court near the Board School, and then went by a somewhat circuitous route by St. Anthony Street to Great Junction Street. The scheme consisted principally of running a new street, fifty feet wide and about three-fourths of a mile long, from East Junction Street to Tolbooth Wynd, since called Henderson Street, through the unhealthy areas; the clearing away of eighteen of the most insanitary closes, and the widening of five other streets. The estimated cost of the scheme incurred in removing old properties, purchasing superiorities, etc., was £98,884; but the Town Council expected to be recouped by the sale of sites, etc., to the extent of £46,439, leaving a net cost of £52,405. This expected recoupment, however, as it turned out afterwards, did not take place to the extent which the framers of the scheme hoped. Application was made for parliamentary sanction, which was obtained in a Provisional Order from the Home Office in April 1880. No very strong opposition was offered to the scheme, and the Act authorising it was passed in August. In 1881 a loan of £50,000 was sanctioned by the Public Loan Commissioners as a first instalment, and work was commenced, but for the first year or two it proceeded in a desultory fashion. Now, however, the scheme has practically been given effect to, and a much required improvement accomplished.

A subject which had been intermittently forced upon the attention of the Government by Leith and Edinburgh was the defence of the Forth, but more particularly of Leith, and consequently of Edinburgh. Nothing had been done in this direction since the erection of the Martello Tower in 1809, on which inadequate structure and the antiquated fort had depended the defence of Leith and the metropolis

of Scotland for a period of seventy years, leaving their safety "to the effectual fervent prayers of longshore parish ministers," as the *Scotsman* said in 1878. In 1879 active measures were at last taken to remedy to some extent this unsatisfactory state of matters by the erection of forts on Inchkeith. The island seems always to have been regarded as a place of vantage either for defensive or offensive purposes. Its vicissitudes in the sixteenth century have already been related. In July 1652 Inchkeith was hastily fortified on the appearance of the famous Van Tromp at the mouth of the Firth with a Dutch fleet. During the uneasy times preceding the Crimean War the Government were bombarded with such a number of petitions and deputations, urging the necessity of fortifying the island, that they reluctantly agreed to do something, and actually went the length of preparing plans, but there their energy exhausted itself. Again representations were made, and again, in 1878, plans were prepared, based on those made previously. The work was commenced that same year, and in July 1881 the forts, three in number, were completed. These forts, situated at the three angles of the island, are built on the most approved principles of fortification, and are so placed as to be invisible at a short distance. The forts mount altogether four guns—two in the fort facing Leith—of modern pattern, and heavy enough to deter a moderate force from effecting a passage. An auxiliary battery of four guns was also built on Kinghorn Ness, to defend the north passage, which alone is safe for heavy ironclads. On 19th July 1883 Leith Town Council visited the island and inspected the fortifications. A year afterwards the forts were subjected to a somewhat

novel experiment. On 19th and 20th August 1884 they were bombarded by H.M.S. *Sultan*, in order to test their strength. Considerable damage was done to the concrete and platforms, and the guns were struck several times. With an expenditure of 4500 bullets, only six men (dummies) were killed.

However pleasant it may be to think that Leith is more or less adequately secured against the operations of a hostile fleet in time of war, it is more pleasant still to turn next to the efforts of Leith to ameliorate the lot of those who, in times of peace, "go down to the sea in ships," as well as those who, the victims of maritime disaster, are cast helpless and destitute upon our care. The new Leith Sailors' Home, the most complete establishment of the kind in the country, was opened in 1885. The old Sailors' Home in Duke Street, after many years of useful service, was leased to the Board of Trade in 1881, and its operations were suspended. The Committee of Management, having failed to secure suitable premises elsewhere, made up their minds to erect a new Home, such as would be worthy of a great seaport. The cost of such a Home was estimated at £9000, but a moderate annual return was expected from letting part of the building as shops or offices. Adequate support was forthcoming, liberal subscriptions being promised by influential business men in Leith. In November 1882 a design for a new building, by Mr. C. S. S. Johnston, of Edinburgh, was approved, and a site was found at the corner of Tower Street and Tower Place, at a nominal rent from the Dock Commissioners. On 20th September 1883 the foundation stone was laid with full Masonic honours by the Earl of Mar and Kellie, Grand Master Mason of Scotland. The building occupies a commanding posi-

tion, and is seen from all parts of the docks. The style of architecture is Old Scottish Baronial; the principal elevation is towards the harbour, where it has a frontage of 90 feet. There are three storeys and atties, and the clock tower in the centre rises to a height of 75 feet.

The Sailors' Home was opened on 29th January



SAILORS' HOME.

1885 by the Earl of Rosebery, in presence of a large and influential gathering. The occasion excited great interest in Leith, especially among all those connected with the shipping industry. At half-past one o'clock Lord Rosebery, accompanied by Lord Provost Sir George Harrison and the Hon. Bouverie Primrose, arrived at the Home, and were heartily cheered by the great crowd assembled outside. The Honorary



Yours very truly
W. Rossberry

Secretary of the Home, Mr. William Dougall, received the distinguished visitors, and conducted them through the premises on a tour of inspection. The opening ceremony took place in the large recreation hall, which was crowded by a large audience. At two o'clock Provost Pringle, accompanied by Lord Rosebery, Sir George Harrison, and the Hon. Bouverie Primrose, ascended the platform, where were also assembled Admiral of the Fleet Sir Alexander Milne, Bart., Major-General Grant, Bishop Cotterill, the ministers of Leith, Town Councillors of Edinburgh and Leith, and other gentlemen. Lord Rosebery, in declaring the Home open, delivered an able speech on the development of the British Mercantile Marine, and referred to the inestimable boon which comfortable Homes at seaports conferred on our seamen.

Since its opening the Sailors' Home has prospered. For the twelve years up to 31st January 1897 the total number of boarders was 29,056. A feature of the Home is the encouragement to thrift among the inmates; and the money placed in the hands of the authorities for safe-keeping, and for remittance to relatives, has reached, for the same period of twelve years, the surprising amount of £65,271, and for the year 1896, £4877. At the end of that year it is stated that one man had £200 in the Savings Bank. During that year, also, 159 shipwrecked mariners of various nationalities were sheltered in the Home; and many British seamen from foreign ports, where they had been left destitute or homeless, were received, the cost of their maintenance being defrayed by the Shipwrecked Mariners' Society. In financial matters the Home is also prosperous, the balance at its credit on 31st January 1897 being £85.

CHAPTER XXVIII

MUNICIPAL AND LOCAL AFFAIRS FROM 1887 TO 1896

IN the year 1887 the first steps were taken towards the formation of another Edinburgh and Leith Joint Trust, namely, the Gas Commission. Some time previously the Leith Town Council had considered the desirability of taking over the gas undertaking, but it had been resolved at that time not to do so. In 1886, however, the subject was again brought up in a somewhat acute form by the promotion by the Edinburgh Gas Company of a Bill to augment their capital, and to authorise the acquisition of a large tract of land near Portobello on which to erect new works. It was at once seen by the Corporations of Edinburgh and Leith, that should the Bill pass it would considerably increase the cost of afterwards acquiring the gas concern. The Corporations therefore determined to oppose the Bill, and they stated in Parliament that they were prepared to enter into negotiations with both the Edinburgh and the Edinburgh and Leith Gas Companies for the purchase of their undertakings. On 1st April 1887 a provisional agreement was entered into between the Edinburgh and Leith Corporations and the Edinburgh Gas Company for the sale of the concern, and the Gas Company Bill was allowed to be thrown out. The Edinburgh and Leith Gas Company,

however, refused the terms offered, and this for some time delayed a settlement; but finally this was satisfactorily arranged. On 1st August 1888, by the Edinburgh and Leith Corporations Gas Act, the two Gas Companies' undertakings were transferred to the newly-incorporated Gas Commissioners, as representing the Corporations of Edinburgh and Leith. The Lord Provost of Edinburgh and the Provost of Leith are *ex officio* members of the Commission; Edinburgh is further represented by fifteen members, and Leith by six. The Commissioners may be members of either Town Council. The terms which the Gas Companies received were considered extremely liberal. The paid-up capital of the Edinburgh Company amounted to £200,000, for which they received annuities of £20,000. These annuities, capitalised at $28\frac{1}{2}$ years' purchase, as provided by the Act, amounted to £570,000, and this sum, together with £27,000, which the Company received in cash, made the total capital value £597,000. There was also a sum in hand, estimated at between £60,000 and £70,000, to divide among the shareholders. The paid-up capital of the Leith Company was £151,000, for which they received annuities of £14,000, which capitalised amounted to £399,000; and a payment of £11,000 in cash made the total sum £410,000. They had also a sum of about £30,000 to divide among themselves.

About the end of 1890 the Edinburgh Corporation, in a Bill which they were then promoting in Parliament, sought to transfer to the Gas Commissioners power to supply electric light to Edinburgh. The Town Council of Leith strenuously opposed this clause. They objected to the revenues of the Gas Commissioners being applied to that purpose, without first obtaining

the consent of Leith. In April 1891 an amendment of the objectionable clause was obtained, whereby the sanction of Leith must be obtained to any such transfer of powers. Probably foreseeing the hopelessness of obtaining such consent, the Edinburgh Corporation afterwards introduced the electric light into Edinburgh as their own concern.

The Drainage Scheme of 1864, although important in itself, did little permanently to purify the Water of Leith. In course of time, with the extension of the city and the town, the river again became polluted with sewage, and the various paper mills above Colt-bridge, which had not been affected by the Act, still discharged their peculiarly nauseous refuse into the water. In 1885 the subject was again brought seriously under the notice of the authorities. A communication from the Board of Supervision caused the condition of the harbour to be taken into thorough consideration by the Leith Town Council, and a formal report was obtained from the sanitary officer to the effect that a nuisance existed in the harbour. It was seen that it would not do to complain of pollution caused by others until they had put their own house in order. The Committee of the Leith Town Council entrusted with the matter prepared a scheme, by which no drainage would fall into the Water of Leith from within the burgh. In 1886 a conference was held between Edinburgh, Leith, the landward parishes, and the traders interested, to consider a scheme for purifying the whole course of the Water of Leith from Balerno to the sea. The landward local authorities and manufacturers, however, after negotiations had been carried on for some time, expressed little willingness to concur in the scheme,

and in 1887 the conferences came to an end. The two Corporations, thoroughly at one as to the necessity for the purification scheme, which would benefit the city no less than the town, now resolved upon another move, namely, to take proceedings at law against all polluters of the stream. But it was seen, as the Leith Corporation had seen two years before, that it was necessary first to remove all cause of nuisance within the burghs. Plans were therefore prepared for an extensive drainage system, and in September 1888 a report was brought before the Leith Town Council on the construction of an additional sewer for the Water of Leith. Meanwhile negotiations with the local authorities had been reopened and a practical agreement come to, and in December copies of a Purification Bill were submitted to the Town Council. In February 1889 it was resolved to form North and South Leith into one drainage district; and this was ultimately carried out. The Water of Leith Purification and Sewage Act was passed in 1889, and in accordance with it a sewer has been constructed by which all sewage and impurities, from Balerno downwards, are carried off. If the stream has not been rendered as pellucid as we are told it once was, it has, at anyrate, been purified to the extent that trout can now be caught in spots which were, a few years ago, little better than open cess-pools. For the purposes of the Act a Joint Commission was formed, called the Water of Leith Commission, composed of representatives from the Town Councils of Edinburgh and Leith to the number of twelve and three respectively; from the landward local authorities concerned, four; and from the landward mill electors, two: the Lord Provost of Edinburgh and the

Provost of Leith are *ex officio* members of the Commission. The work of purification was continued by an additional Act in 1893, and the purposes of the Commission are now practically exhausted.

The last Joint Commission which the Leith Corporation endeavoured to form was one for working the tramways. The original twenty-one years' lease granted to the Edinburgh Street Tramway Company dated from 1872, and in 1889 overtures were made to the Tramway Company for the purchase of the undertaking on the expiry of the lease in 1893. It was towards the end of 1891, however, before the question began to be seriously considered. In February 1892 the Company submitted proposals to the Leith Town Council, but, in a provision attached, stated that "all the preceding clauses do not apply to the case of Edinburgh acquiring and then leasing the tramways to the Company." This was looked upon as threatening to destroy the effect of any agreement which might be come to with the Company by Leith, and to leave the burgh in a helpless position. To obviate all difficulties, and in order that the whole tramway system might be worked by one body in the interests of public convenience, Leith Town Council proposed, in May, a joint purchase of the tramways by Edinburgh and Leith. The Edinburgh Corporation, however, had other ends in view. They decided that there were already enough Joint Commissions, and that they would not allow Leith and Portobello to interfere with the streets of Edinburgh as regards the tramways or anything else. This was the shallowest pretence, for, in all the Joint Trusts which then existed, Leith, with Portobello added, was in a helpless minority; and while Leith was thus precluded from interfering with

the streets of Edinburgh, that city could, by means of its majority, work its will on the streets of Leith. Having come to this decision, the Corporation of Edinburgh refused to entertain any proposals for a joint purchase of the tramways, and entered into negotiations for the purchase of that part of the system which was within their own territories. The Leith Corporation now negotiated with the Tramway Company for a renewal of their lease for such lines as were within the burgh. In August the Board of Trade gave their approval to the resolution of Edinburgh to purchase its part of the tramways; and the Corporations of Leith and Portobello having decided not to acquire the portions within their burghs, Leith now completed the negotiations with the Company regarding a renewal of the lease of the streets. In December an agreement was come to by which the Tramway Company's lease was continued for a period of fourteen years, or for twenty-one years if during the next seven years a cable line was laid in Leith Walk within the Edinburgh section. Among the conditions of the agreement were certain extensions of the lines within the burgh, a re-arrangement of the fares, and the payment to the Corporation of £500 per annum for seven years, and £600 for the remainder of the lease, for wayleave. The new arrangement came into force on 1st January 1893.

Although the Edinburgh Corporation had refused a joint purchase, and although they had resolved to purchase their own portion of the undertaking, they at the same time considered it essential, in the interests of the public, that the whole tramway system should be under one control, namely, their

own. With this aim in view they sought in their Bill powers to lease or purchase the portion of the tramways within Leith, Portobello, and the county, but this part of the Bill was amended to the extent that the consent of the local authorities concerned must first be obtained to any such transaction. The secret of the position of the Edinburgh Corporation seems to have been, that any amicable understanding on the tramway question would have prejudicially affected a scheme of amalgamation or absorption of the burgh of Leith, which they were then contemplating. The severance of the tramway system into two or more parts, so as to make the smooth working between Edinburgh and Leith difficult, if not impossible, to ensure which they refused to lease their own part of the tramways to the old company on any reasonable terms,—or the fact of the whole tramway system being in their own hands,—would have been good arguments for amalgamation. This last scheme failed, and the Corporation of Edinburgh then proceeded with the purchase of its own portion of the system. In the course of 1893, in an arbitration between the Edinburgh Corporation and the Street Tramway Company, for the purpose of settling the sum to be paid, the arbiter, Mr. Tennant, fixed the award at £44,648, which the Tramway Company considered a grievously inadequate price, and endeavoured, by appeals, to have it augmented, but without success. In the lease between the Edinburgh Corporation and Messrs. Dick, Kerr, & Co., the new lessees of the city tramways, Leith secured the insertion of a clause providing for a continuation of the through traffic. On 12th January 1895 a conference was held between the two Corporations, at which it was agreed

that, in view of the cabling of Leith Walk, the Leith Corporation should endeavour to purchase the tramways within the burgh, on the basis of Mr. Tennant's award in the acquisition by the city. But the Tramway Company were not by any means disposed to agree to sell on such terms, and they further intimated that "they could not entertain any proposal to purchase their concern, which would leave them with the Portobello branch and the tag ends of their system to work." By this time the disorganisation of tramway traffic at Pilrig, the meeting-place of the two tramway systems, was severely felt, and petitions were set on foot asking the Board of Trade to step in and put an end to what was now called the "tramway muddle" at that point. In March 1895 a conference was arranged in London before the Board of Trade to discuss the "muddle," and the matter was referred to Mr. Tennant, who heard parties in regard to the interchange of traffic. His decision was that the existing clause in the agreement between the Corporation of Edinburgh and Messrs. Dick, Kerr, & Co. prevented the drivers and horses of either company running over the other's lines, which would have been equivalent to running powers. In June other proposals were made to acquire the Edinburgh Street Tramway concern, and the Company then stated that the value of the undertaking, including Leith, Portobello, and other enterprises, was £115,000. After arranging a conference, with the object of discussing terms for a possible purchase of the concern, Leith Town Council resolved, on 22nd June—probably because they were thoroughly disgusted with the whole matter, more probably on account of the hostile attitude of the Edinburgh Corporation at this time over the Amalga-

mation Scheme—to take no further action. Here the matter practically rests at present.

In 1891 the census returns of the previous year were issued. The returns showed that the population of Leith was then 67,651, as against a computation of 80,736—a serious mistake. The number of parliamentary voters was 10,661; there were also on the roll 1693 females, who only voted in local elections.

In 1892 the Burgh Police (Scotland) Act (55 & 56 Vict. cap. 55), which repealed the General Police and Improvement Act of 1862, was passed. Mr. Lindsay himself was the first to recognise that in course of time the Act of 1862 had become antiquated and imperfect. He therefore set himself, with the assistance of the Convention of Royal Burghs and other professional experts, to prepare such amendments as were necessary. The Bill was first introduced into Parliament in 1883 by the Lord Advocate, but the hopes of its soon passing were dissipated, and it dragged wearily on for nine years. During the progress of the Bill in Parliament the Government had expressed their determination to make it applicable to the whole of Scotland, and to repeal all local Scottish Police and Public Health Acts. Edinburgh, and four of the other principal burghs in Scotland, offered a strong opposition, and were exempted from the compulsory application of the Act, while left free to adopt it if they chose. Edinburgh has not adopted it, and some of the city's alleged grievances, upon which they based their Amalgamation Scheme, only exist (if they do exist) by their so insisting upon being taken out of that general law.

The Absorption Scheme, the last cause of difference between Edinburgh and Leith, may now be referred to.

In 1892 the Town Council of Edinburgh considered the expediency of absorbing Leith and Portobello into the jurisdiction of the city of Edinburgh, and on 21st October the Town Clerk of Edinburgh communicated to the Town Clerk of Leith the desire of the Edinburgh Corporation that in all matters relating to Public Health it was desirable that one policy should be followed in the three burghs, and that with that view Leith and Portobello should be absorbed into Edinburgh. The proposal was, however, viewed with intense disfavour in Leith, and the matter remained in abeyance till the year 1894, when the Town Clerk of Edinburgh again, on 19th September, wrote to the Town Clerk of Leith, sending a memorandum and outline of what was termed a Scheme of Amalgamation. The Corporation of Leith were not inclined to go into this so-called amalgamation, and the matter again was allowed to rest till, in July 1895, the Town Clerk of Edinburgh reported to his Corporation on the proposed extension of the boundaries of the city of Edinburgh and the amalgamation of Edinburgh, Leith, and Portobello. This report was followed by the preparation, on the part of the Corporation of Edinburgh, of a draft Bill for the absorption of Leith and Portobello into the boundaries of the city of Edinburgh, a copy of which was sent to the Corporation of Leith. On 8th November 1895 the Magistrates and Council of Leith resolved that, as they were opposed in principle to the absorption of Leith within the boundaries of Edinburgh, and desired to preserve the separate municipal existence of that burgh, they had no suggestion to offer to the Corporation of Edinburgh on the proposed Bill. They further requested the Corporation of Edinburgh to revoke the intention to promote such a Bill, so far as Leith was concerned,

and intimated that, if they proceeded with the measure, Leith would oppose it and crave Parliament for costs against the city of Edinburgh. The Corporation of Edinburgh, however, proceeded with the Bill and gave the necessary parliamentary notices, after which they deposited their Bill in Parliament.

On 7th January 1896 the Magistrates and Council of Leith resolved to offer their most strenuous opposition to the Bill, and they accordingly petitioned against it. The Bill was remitted to a Select Committee of the House of Commons, which heard evidence, in April 1896, for several days. On 7th May the Committee decided that the preamble of the Bill had not been proved, so far as it related to Leith and the landward parish of Leith. The Magistrates and Council of Leith persisted in their opposition to the Bill, in order that they might have a triangular piece of ground, immediately to the west of the burgh and north of the Ferry Road, on which a large new Public Health Hospital had been erected for the burgh of Leith, excluded from the extended boundaries of the city of Edinburgh. The Committee were equally divided upon this point. The Chairman gave his casting vote in favour of this area going into the city of Edinburgh, according to the agreement effected between the county and the city authorities. The Magistrates and Council of Leith objected to this arrangement, and moved in the House of Commons to have the Committee's report upset, so far as regarded the triangular piece of ground, with the result that 249 members voted to adhere to the decision of the Select Committee, while 81 voted in favour of the motion to have the Bill re-committed to the Committee.

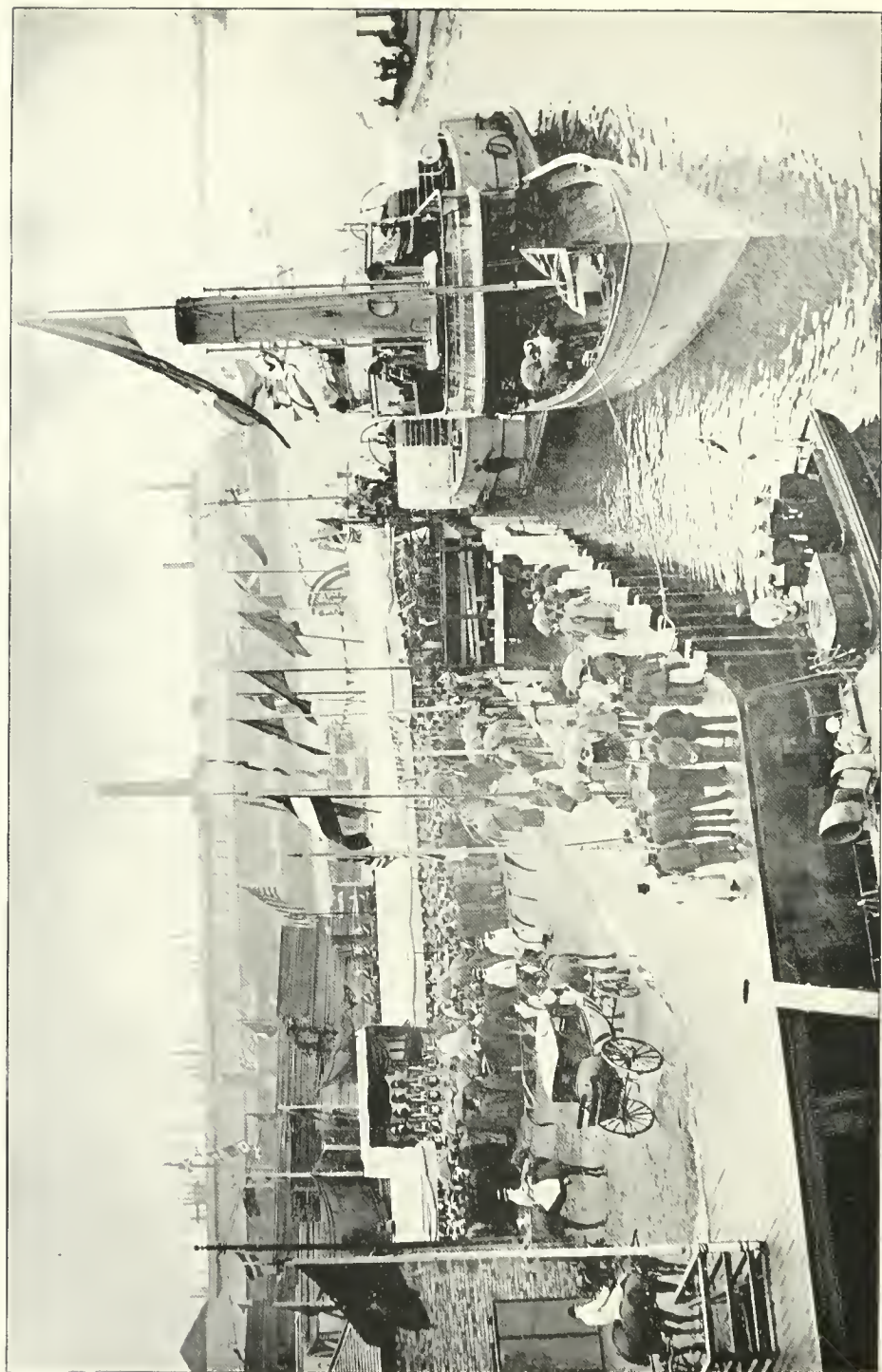
The Magistrates and Council thereupon resolved to

continue their opposition in the House of Lords, and presented a petition accordingly to that House. The result was, that while the House of Lords continued the piece of ground referred to in the boundaries of the city of Edinburgh, a clause was inserted providing that for public health purposes it was to be held that the burgh of Leith was to be exempt from all taxation on the part of the city of Edinburgh. The result of the matter was, that the independence and integrity of Leith was maintained by the opposition of the Corporation to the Bill promoted by the city of Edinburgh. The Corporation of Edinburgh, however, having made terms with the Corporation of Portobello, succeeded in getting that burgh brought within its boundaries. The promotion of this Bill has not tended in any way to promote friendly feeling between the two burghs, and this has been shown by the awkward position into which the tramway arrangements between the two corporations have come.

In 1896 Leith was again favoured by the presence of a foreign potentate, and the 22nd of September of that year will stand out, as the *Scotsman* remarked, "as a red-letter day in the annals of the burgh ; for it is not every day that any place sees itself honoured at one time by the presence in it of so many dignitaries." On the day mentioned the Czar Nicholas II. of Russia, with the Czarina and their infant daughter the Princess Olga, landed at Leith on a visit to Her Majesty the Queen at Balmoral. Elaborate preparations were made for the reception of their Majesties, but unfortunately the event was marred by inclement weather. The Victoria Jetty, which had been selected as the landing-place, was pleasingly decorated, and an adjacent wharfshed was metamorphosed into a beautiful reception hall.

The streets along the route from the docks, by Commercial Street and North Junction Street, to Junction Bridge Station, were also suitably decorated, although the most remarkable evidence of popular goodwill was the immense crowds which thronged the streets, and occupied every point of vantage from which a sight of the pageant could be obtained. To do the more honour to the occasion, a large force of military was drafted into Leith. The force consisted of detachments from the Inniskilling Dragoons, from Piershill; the Scots Greys, from Hounslow; the Royal Highlanders (Black Watch), from the Castle; the Argyll and Sutherland Highlanders, from Glasgow and Stirling; the King's Own Scottish Borderers, from York; the Royal Artillery and Engineers, from Leith Fort; the City of Edinburgh Volunteer Artillery; the Midlothian Volunteer Artillery; the Queen's Rifle Volunteer Brigade R.S.; the 4th and 5th Volunteer Brigades R.S.; and the Forth Volunteer Division Royal Engineers. The infantry lined the streets all the way from the Citadel gate of the docks to Junction Bridge Station, while the cavalry served as guards of honour.

The Russian imperial yacht *Standart* arrived off Inchkeith about 9.40 a.m., and was saluted by the guns of the Channel Fleet, which had come to the Forth to receive His Majesty, and the royal visitors, H.R.H. the Prince of Wales and H.R.H. the Duke of Connaught, who had been the guests of the Earl of Rosebery at Dalmeny. They arrived at Leith, accompanied by the Earl and Mons. de Staal (the Russian Ambassador), and others, shortly before eleven o'clock, and at once embarked in the *Tantallon Castle*, belonging to the Galloway Saloon Steam Packet Company, and proceeded to the *Standart*.



LANDING OF THE CZAR NICHOLAS II. OF RUSSIA AT LEITH, 22nd September 1896.

(From photograph by J. MacKean, Leith.)

About half-past one p.m. the Russian royal party, the Prince of Wales, etc., and a numerous and brilliant staff of English and Russian military and naval officers, left the *Standart* and went on board the *Tantallon Castle*, amidst the thunder of the guns of the fleet, and the cheers of the seamen and occupants of the numerous yachts in the vicinity.

In a few minutes the *Tantallon Castle* arrived at the Victoria Jetty amidst the enthusiastic cheers of the crowds on the piers, while the Czar on landing was received by a guard of honour of the Scots Greys, of which the Czar is honorary colonel. At forty-five minutes past one the whole party entered the reception hall, where a distinguished assemblage of privileged spectators were gathered. Here addresses of welcome were presented to the Czar by Provost Bennet of Leith, as representing the town; by Lord Provost McDonald, as representing Edinburgh; and by the Leith Dock Commissioners. After some time spent in the reception hall the royal party entered the carriages in waiting, which were open, despite the torrents of rain which now fell, and drove off amid continuous cheering. On emerging from the Citadel gate the cheering was taken up by the dense crowds outside, and their expressions of welcome and goodwill were graciously acknowledged. The carriages proceeded at a walking pace, and on reaching Junction Bridge Station the party were received by Lord Tweeddale, the Chairman of the North British Railway Company. After entering the special train, of which the Queen's saloon carriage (for the use of the Czar and Czarina) and the Prince of Wales's saloon formed conspicuous parts, the royal party left Junction Bridge at half-past two p.m. *en route* for Ballater.

CHAPTER XXIX

THE DOCKS — THE EDINBURGH DOCK—DOCK
EXTENSION IN 1892

By an Act to consolidate and amend the previous Acts, and to authorise new works (38 & 39 Vict. cap. 160), passed in 1875, the constitution of the Dock Commission was again altered. By this Act three members were elected by the Town Council of Edinburgh, three by the Town Council of Leith, one by the Edinburgh Merchant Company, one by the Edinburgh Chamber of Commerce, one by the Leith Chamber of Commerce, two by the shipowners, and four by the ratepayers,—in all, fifteen. This is the constitution of the Dock Commission at the present time. By the removal of the Government nominees, the management of the docks passed entirely into the hands of local representatives.

By the same Act, power was obtained to form a new dock, on a much larger scale than any of those existing. The cost of the whole works, including railway sidings, etc., was estimated at about £400,000, and the engineers were Messrs. Clark, C.E., and J. R. Allan, C.E. The dock is situated in ground reclaimed from the sea, stretching from the east of the Albert Dock to about a fourth of a mile west of Seafield Toll, comprising an area of 108 acres. The new dock,

called the Edinburgh Dock (after the Duke of Edinburgh), lies immediately to the east of the Albert Dock, with which it is connected by a channel 270 feet long by 65 feet broad. The length of the north and south walls of the dock is 1500 feet, and the extreme breadth 750 feet, but from the eastern end runs a jetty, 1000 feet long by 250 feet in width, up the centre of the dock, which considerably increases the wharfage accommodation. A graving dock has been constructed in the centre of the jetty, the second largest dry dock in Leith, 350 feet long and 70 feet wide at the top. The embankment by which the reclamation is effected consists of a dry rubble wall, 30 feet broad at the base and $10\frac{1}{2}$ feet at the top, and was finished in 1877.

The dock was opened on 26th July 1881 by the Duke of Edinburgh, on the occasion of the visit to the Forth of the Reserve Squadron, under his command. About eighty thousand spectators witnessed the ceremony, which was an imposing one. Provost Henderson, with the members of the Town Council, went out to H.M.S. *Hereules*, the Duke's flagship, and presented to him an address of welcome, which finished thus: "A member of our beloved Royal Family we rejoice at all times to see among us; but when we combine your position with the remembrance of early days spent by you in this neighbourhood, and with the high rank you so worthily hold in the gallant service to which you have allied yourself, together with your many good qualities, which we recognise, but forbear to mention here, we feel, and are sure the inhabitants of the burgh feel, a peculiar pleasure in your present visit. We would also desire to welcome the fleet of which you have command, and which we are proud to think has also come to the Forth."

At twelve o'clock the Duke, accompanied by a brilliant staff, and the Dock Commissioners, embarked in the *Berlin*, and steamed towards the harbour amid the cheers of the seamen of the fleet, and the occupants of the pleasure yachts which swarmed in the vicinity. The *Berlin* proceeded up the harbour and through the Albert Dock, and as its bow cut the silk ribbon which was stretched across the entrance to the new dock vociferous cheers from the assembled multitude rent the air. The Duke was entertained to a banquet by the Dock Commissioners, after which he drove to Edinburgh, where he was presented with an address of welcome by Lord Provost Boyd in the Council Chambers. In the evening he embarked from the Victoria Dock, and soon after he reached the *Hercules* the squadron was on its way seawards.

In 1884 the promenade and carriage drive which runs round the reclaimed area was finished.

In the same year a dispute occurred between the Dock Commissioners and the Leith Town Council, in connection with the Burgh Police and Health (Scotland) Bill, then before Parliament. By the Act of 1848 the harbour and docks were exempt from police and certain other rates, and the Town Council, in their case against the proposed continuation of the exemption, said, "The harbour and docks are now in a prosperous condition, and they have been able to reduce their dues. . . . The ground on which the Town Council understand the Dock Commissioners base their case is, that they watch, light, and cleanse for themselves, and also keep up their own roads. Now, . . . for the Dock Commissioners to watch, light, cleanse, and pave within their own gates, is nothing more than has to be done by railway companies and by large

works and others." The Council also pointed out that the owner of Granton harbour cleanses, lights, etc., his property, and yet pays all county rates and assessments. The exemption, however, was continued.

In 1891 the Dock Commissioners resolved to build an additional graving dock on ground immediately to the south of the Prince of Wales graving dock. In 1896 the dock was completed, at a cost of £30,000. It is 285 feet in length by 70 feet in width at the top.

In September of the latter year a contract for deepening the harbour at a cost of £36,500 was entered into.

The prosperity of the trade of the port subsequent to the opening of the Edinburgh Dock in 1881, and the establishment of lines of steamers to America of larger size than had hitherto frequented the port, led the Commissioners, about the year 1889, to consider the propriety of constructing a new dock, with a wider and deeper entrance than any of the other docks possessed. After careful deliberation, the Commissioners resolved upon this course, and in 1892 obtained parliamentary powers (55 & 56 Vict. cap. 177) for the construction of the works. In the following year contracts were entered into, and the work commenced. The works include reclamation of about eighty acres of land on what is known as the East Sands, lying to the north and north-west of the present Albert Dock. This reclamation was effected by the construction of a wall about 4400 feet in length, extending from the north-west corner of the Edinburgh Dock to a point on the East Pier nearly opposite the Martello Tower. The embankment was practically completed in July 1896, and the work of constructing the dock is now in progress. The dock is to be 1100

feet in length, 550 feet in width, and is to be entered from the harbour by a lock 350 feet long, 70 feet wide, with a depth of water on the sill of about 31 feet at spring and 26 feet at neap tides. This depth is 5 feet more than the depth in the Albert Dock, which has at present the deepest entrance in the port. The advantage of this depth in the case of large steamers such as now frequent the port will be apparent. It is expected that this dock will be completed within three years from the present time (1897). A lock is being constructed from the south-east corner of the new dock to the north-west corner of the Albert Dock, by which an alternative entrance will be obtained to the Albert and Edinburgh Docks—a matter of great importance in docks of such extent. The original contractors not having proceeded satisfactorily with the works, the execution thereof was entrusted to Mr. Best, who is proceeding with much vigour and skill.

In order to make the entrance for vessels to the new dock as convenient as possible, a channel about 400 feet in width is being dredged outside of the present piers, in which it is expected that a depth of from 15 to 16 feet at low water of ordinary spring tides will be obtained. This will enable all the ordinary class of coasting steamers practically to enter the harbour at any state of tide, instead of at present frequently having to lie outside for three or four hours waiting for the rise of the tide. The dock will be equipped, similar to the present docks, with sheds, cranes, rails, and other facilities for the despatch and forwarding of traffic. The parliamentary estimate for the cost of these works was about £446,000; but as the dock is being laid wider than contemplated at the time, the cost of the new works

will probably not be less than £500,000. In connection with this matter it may be remarked, that prior to 1892 the Dock Commissioners had no authority for the erection of warehouses, but in the Act of that year such powers were obtained, and at the present time a movement is on foot, chiefly amongst the importers of grain, to have such warehouses erected contiguous to the docks.

In connection with the extension, it may be mentioned that, when the Bill for that purpose was introduced into Parliament in 1892, the War Office made a demand for a site on the sea side of the reclamation for a battery of heavy guns, and indicated opposition to the Bill if this were not granted. The Dock Commissioners thereupon complied with the demand. At a meeting of the Forth Defences Committee, on 22nd April 1897, the danger of a battery thus placed was forcibly demonstrated by Mr. James Currie, shipowner, Leith. He stated, that as the battery would necessarily draw the fire of an enemy, it would mean the destruction of the shipping, the houses, and even the towns of Edinburgh and Leith, which lay behind it. The War Office, however, explained that there was no intention to place a battery at the place in question at present.

CHAPTER XXX

MINOR EVENTS DURING THE LATTER HALF OF THE
NINETEENTH CENTURY

IN 1853 the Roman Catholic Church, designated "The Church of our Lady, Star of the Sea," was built in Constitution Street. It is a high-roofed cruciform edifice in the Early Gothic style.

In 1855 the School of Navigation was established.

A Leith historian thus notices the Peat Neuk in 1856: "Immediately behind the Coalhill lies the somewhat famous locality known as the Peat Neuk. The Peat Neuk of the present day, however, would scarcely be recognised by those who knew it even twenty or thirty years ago. It is still far from being an inviting or attractive locality, but circumstances have considerably ameliorated its sanitary condition. Part of the ruinous buildings have been rebuilt, and are occupied as shops and grain lofts. The locality formerly afforded shelter to a most reckless and abandoned portion of the community, and this was the especial field of labour for those painstaking and untiring men who cannot ignore the heathendom which prevails at our own doors, and who try, in the words of Dr. Chalmers, to 'excavate the heathen.'"

In 1859 North Leith Free Church was built from designs by Mr. Campbell Douglas, of Glasgow, at a

cost of upwards of £9000. The style of architecture is German Pointed, with a spire 160 feet high.

In this year, also, the Leith and Portobello Railway was first used. On 15th June a train, conveying a number of the directors, arrived at South Leith Station at seven a.m.

In 1860 the foundation stone of the Corn Exchange



CORN EXCHANGE.

was laid with Masonic honours on the 16th October. It was built at a cost of £6500, on the site of the old naval yard. It is a chaste and elegant structure, with Plain Italian frontage, 110 feet long and 70 feet wide, with a one-span roof. The main entrance is surmounted by a large and imposing domed tower. On the side of the building next Constitution Street, running the whole length, is a beautifully carved

frieze representing Commerce and Agriculture. It was finished in 1862.

In this year Watt's Hospital was founded, and was opened in 1862. It is built in Plain Italian style, and was designed by P. Hamilton. It stands in Duke Street, upon the site of the old Golf House. It was originated by John Watt, a native of Leith, who at his death, in 1829, left a sum of money to found an hospital, but it was nearly thirty years before the donor's instructions were complied with. The parties eligible for admission—as specified in the will—are men and women of fifty-five years of age and upwards who are in destitute circumstances, but who are not pensioners or recipients of an allowance from any charitable institution except the Parochial Board of South Leith. A preference is given—1st, to persons of the name of Watt; 2nd, to natives of South Leith, of whatever name; 3rd, to persons who have constantly resided in South Leith parish for ten years; and 4th, to persons who have constantly resided in Edinburgh or Midlothian.

In 1861 the Leith Ragged Industrial School was founded, and it was opened in the following year.

In 1862 the Slaughter House in Salamander Street was built, at a cost of £4000. It has a frontage of 150 feet, comprising centre and wings; and extends backwards 132 feet, in two lines of building, with wide intermediate roadway.

In 1862-63 St. James's Episcopal Church was built, from designs by Sir Gilbert Scott. It is an ornate edifice in Gothic style, with fine steeple and chime of bells. It superseded the older edifice erected in 1805, already noticed. In September 1868 memorial

windows were placed in the church, in memory of the Scougall family and others.

On the occasion of the Prince of Wales's marriage, in 1863, Leith was illuminated, and a banquet was held, the sum expended on these being £493, 15s. 3d. —£172, 7s. 5d. above the contributions received for same.

In this year the North Leith Poorhouse was built.

The Leith Town Council arranged to pave Junction Road with Aberdeen granite, at a cost of £4646, 9s. 1d., on 5th July 1864.

In 1864 smallpox having appeared on board H.M.S. *Raccoon* while in the roads of Leith, the crew were ordered to encamp on Inchcolm.

Rosebank Cemetery was consecrated according to the rites of the Episcopal Church on 26th October 1864.

In the same month the foundation stone of the Public Institute in Tolbooth Wynd was laid. It was opened on 22nd March 1867.

In September 1865 a disease called the rinderpest, affecting animals, appeared in Leith.

In the same year the new quay wall between Bernard Street and Broad Wynd was built, and the Shore widened.

In making an excavation in connection with the North Leith drainage works in Commercial Street, workmen came upon a sea wall twelve feet below the level of the street (part of the old Citadel): old coins, buttons, and other relics, and, on digging deeper, human remains, were found, with upwards of thirty skulls.

In this year, also, the Bell Buoy was fixed on the Herwit Rock.

A Provisional Order was obtained to widen Water Lane, an improvement which was subsequently carried out.

In the same year the steamboat *Lord Aberdour* was launched from the yard of Aitken & Mansell, Whiteinch. This little paddle-steamer, now one of the fleet of the Galloway Saloon Steam Packet Company, still plies on the Firth.

Cholera having appeared in 1866, precautionary measures were taken in Leith, but, notwithstanding, some fatal cases occurred in August and September.

On 8th March 1867 the "Old Staircase" was removed. This originally belonged to an ancient piece of property situated at the head of Old Sugar House Close in the Tolbooth Wynd, and was the last impediment to the widening of that street. So much contention regarding its removal arose between the town authorities and the proprietor, Mr. John Adam, that its title became a by-word.

On 9th January 1868 special constables were sworn in at Leith in consequence of the Fenian scare of 1867-68, and were presented with batons in the Corn Exchange.

In February a proposal was made to form a corps of artillery volunteers, and a presentation of colours to the 1st M.R.V. by the ladies of Leith was made on 27th June.

Dr. D. H. Robertson, author of the *Sculptured Stones of Leith*, published in 1851, died at his residence in Albany Street, North Leith, on 27th June.

In 1869 a House of Call was opened in Burgess Street. The intention of the originators was to provide a "remedy for many evils that existed in connection with the paying of coal-porters and lumpers, and also

to provide a shelter and accommodation for those who, from the vicissitudes in the demand for labour, might have a few leisure hours to spend."

The Industrial School at Lochend was formally opened on 26th October.

The foundation stone of Bell's School, South Fort Street, was laid by Provost Watt on 20th November.

In 1870 a steam omnibus was built by Mr. R. W. Thomson, of Leith, for a town in England, and was tried between Edinburgh and Leith on 15th May. It was the first built for such traffic. The trial of Nairn's steam omnibus took place on Monday 28th March.

On 27th June the foundation stone of St. John's Free Church was laid. This church, situated at the corner of Quality Street, was erected at a cost of £7500. It is in the Gothic style, with a tower 130 feet in height.

On 21st March 1871 the marriage of the Princess Louise and the Marquis of Lorne took place. A banquet was held in the Trinity House, and a soiree and concert in the Corn Exchange. The Town Hall and Exchange were illuminated in the evening.

In this year the supposed remains of a lake village were discovered at Lochend.

In 1872 Mr. H. M. Stanley, the African explorer, visited Leith. He was entertained by the Provost and some influential citizens in the Council Chambers on 1st November.

On 23rd January 1874 the town was generally illuminated for the marriage of the Duke of Edinburgh, particularly the Town Hall, the Custom House, and the Russian Consulate Offices.

On 14th October 1875 Henry Dempster, the "Old Voyager," died at North Leith Poorhouse at the age

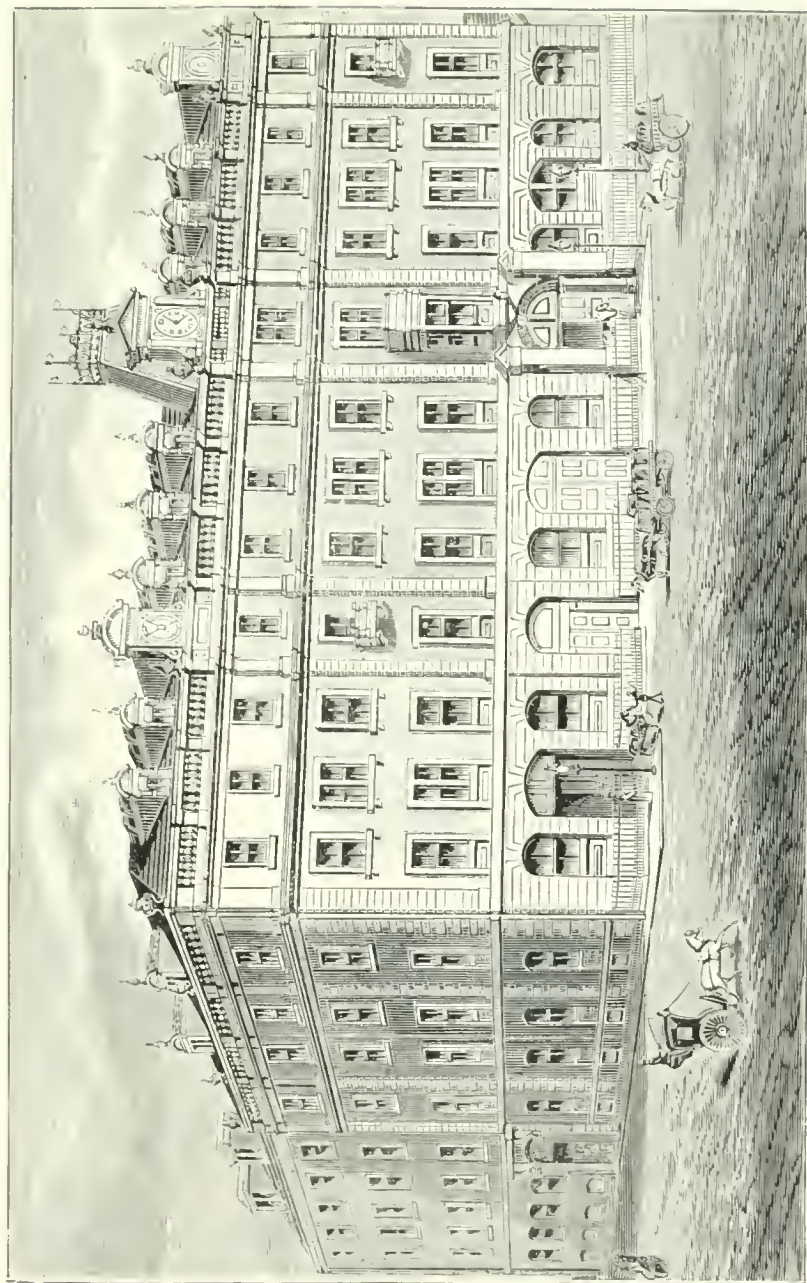
of sixty-eight. His occupation was that of a pilot, and in life and character he was a remarkable man. He was a native of Kinghorn, was in the East India service, and latterly devoted his life to the perfecting of appliances for improving the fishing industry, particularly of well-decked boats. He walked round the whole coast of the British Isles more than once, visiting fishing communities. He occasionally used the medium of the press to bring his schemes before the public, and published a number of well-written pamphlets. He always subscribed himself "Old Voyager," by which title he came to be known.

In May 1876 the new premises of the Post Office in Constitution Street were opened.

In 1877 a Dean of Guild Court was instituted at Leith. During the illness of the Town Clerk, who was not favourably disposed to the establishment of the Court, either on the ground of competency or expediency, the assistant Town Clerk, with the cordial co-operation of Provost Henderson, persuaded the Magistrates and Council to take the opinion of the Lord Advocate (now Lord Watson) and Mr. Harper. The opinion being favourable, the Magistrates formed the Dean of Guild Court under the General Police Act of 1862, and enacted by-laws for the regulation of the Court, under the guidance of the same Council. The Court has been of the greatest benefit to the burgh.

On 10th April 1878 new municipal offices in Great Junction Street were opened. The Fire Engine Station was opened on 24th May.

The Leith Provident Co-operative Society commenced business in May 1878, but before this time a branch of the Scottish Co-operative Wholesale Society had been established in Leith. The trade of the latter



PREMISES OF THE SCOTTISH CO-OPERATIVE WHOLESALE SOCIETY AT LINKS PLACE, LEITH.
(From block kindly lent by the Society.)



CHANCECOT ROLLER FLOUR MILLS.
(From block kindly lent by the Scottish Co-operative Wholesale Society Ltd.)

is now about £700,000 per annum. It is curious to record that the first article purchased, a barrel of red herring, took nearly a week to sell. The Wholesale Society's premises are in Links Place, and a magnificent range of buildings, used as Flour Mills, have recently been erected at Chancelot, Bonnington. The Provident Society now does a trade of £160,000 per annum, and there are about 4900 members on the roll. The central premises are in Bangor Road.

On 24th August 1878 John Adam died, aged seventy years, having been born at Tranent in 1808. "In every respect a remarkable man; his constant activity and occasional eccentricity were almost exclusively manifested for the town of Leith. Associated with its commercial progress, municipal struggles, fights for independence, he was perhaps the most widely-known person who occupied a seat at Leith Council Board." He was also a member of Leith School Board.

On 2nd September 1880 the Right Hon. W. E. Gladstone visited Leith in the *Grandtully Castle*, on his way south after a recent illness. He was presented with addresses by the Edinburgh and Leith Town Councils, and thereafter dined in Messrs. Currie & Co.'s shipping offices, Bernard Street.

On the evening of Friday 4th February 1881 there occurred a series of outrages, perpetrated by two desperadoes named Seymour and Grant, of a singular and unprecedented character. The two were supposed to have been connected with the notorious Kelly gang of Australian bushrangers, and had landed in London from Melbourne the previous November. Having attacked, with life preservers and revolvers, five persons in the Ferry Road, they were observed by Police Sergeants Arnot and Reid lurking about the

Custom House. The officers, having their suspicions aroused, requested the men to accompany them to the police station, but, in turning as if to go, they shot at the constables, wounding Arnot in the hand and Reid in the side. The men made off along Commercial Street, the officers in pursuit, who were joined by other constables, one of whom, Nicholson, was shot in the leg. Seymour, being hotly pressed, turned his back to a wall, put his revolver to his mouth and shot himself through the head, falling dead at the constable's feet. Meanwhile Nicholson kept up the chase after Grant, who turned and levelled the pistol repeatedly at his head, but fortunately it as often missed fire. He was brought to bay in Hope Street, and, after trying unsuccessfully to blow his own brains out, surrendered to Nicholson. He was tried at the High Court of Justiciary on 22nd May, and sentenced to fourteen years penal servitude. At a meeting held in the Assembly Rooms on 2nd June the six constables engaged in the affray were each presented by the Provost with a silver medal and a purse of thirty guineas, in recognition of the conspicuous bravery displayed.

On 14th October a disastrous storm occurred, in which seventeen Newhaven fishermen were drowned off Dunbar, and much damage was done to Leith shipping.

In 1882 a church-attendance census was taken at Leith on 16th January. The figures showed that out of a population of 60,000 about 20,000 attended divine service that day.

In the beginning of March 1883 a hurricane swept over the North Sea, in which several Leith steamers were lost, with great loss of life. These fatalities became known as the North Sea disasters.

Again, on 1st February 1884, a terrific storm of wind and snow swept over the East Coast, causing much damage to shipping and obstructing traffic in the streets of Leith.

On 19th July 1884 the foundation stone of Lorne Street Church was laid by Dr. Mitchell, South Leith. The new church, which superseded an iron one erected on the same spot in 1880, was opened on 24th May 1885 by Dr. Mitchell. The style of the building is Early Gothic. It is seated for 900, and the estimated cost was £3500.

On 17th October the foundation stone of Lochend Road Public School was laid by Mr. W. D. Thorburn, Chairman of the Board. The school was formally opened on 29th January 1887 by Sir William Muir, Principal of Edinburgh University.

The Channel Fleet arrived in the Firth of Forth on 15th October. Five hundred seamen and marines were entertained in the Volunteer Drill Hall, Stead's Place, on the 19th.

The foundation stone of the North Leith Church Halls in Great Wellington Street was laid by Lord Balfour of Burleigh on 12th December. The halls were opened by the Rev. Principal Cunningham, D.D., LL.D., 3rd October 1886.

In 1886 a new bridge was erected over the Water of Leith at Bowling Green Street by the Town Council, assisted by the conterminous proprietors. It was opened by Bailie Henderson, the Senior Magistrate, on 11th November.

On 17th March 1888 the foundation stone of a new hall for Trafalgar Lodge of Freemasons was laid with full honours. The charter of the lodge bears date 1808; but the lodge becoming dormant in 1837, was

resuscitated in 1859. The hall was opened by a grand banquet on 22nd October.

On 14th May the first meeting of a "Permanent Local Representative Committee on the Defence of the Firth of Forth, and the keeping open of the North Sea to Commerce in the event of War," was held in Edinburgh.

On 6th June 1891 the death of John Struthers, Esq., M.D., L.R.C.S.E., F.R.C.P.E., occurred, at the age of sixty-nine. For forty-two years he laboured in the district, and was a well-known man in Leith. He took an active interest in all the institutions of the town, and from 1850 was unceasing in his efforts for the welfare of Leith Hospital.

In this year Leith was visited by the German Emperor. On 14th July he passed through the docks from South Leith Station to join his yacht, the *Hohenzollern*, lying in the roads. Twenty-two German warships, comprising the Northern Fleet, entered the Firth on the 22nd, and anchored in Inverkeithing Bay. After coaling they sailed on the 26th.

In August 1892, cholera having appeared on the Continent, and particularly at Hamburg, precautions were taken at Leith against its introduction. Owing to the scare, trade was much crippled.

In September of the same year the Town Council received intimation from the Board of Supervision that the hospital accommodation in Leith was deficient. This question had been discussed for some time, and in November a special meeting of the Town Council agreed, "That as the Board of Supervision have given their approval to the East Pilton site, the Public Health and General Committee recommend the



LAYING OF THE FOUNDATION STONE OF THE NEW HIGH SCHOOL, 2nd May 1896.
(From photograph by Messrs. Pettigrew & Amos, Lith.)

Council to fix upon that site, and to acquire the subjects accordingly, and remit to the Burgh Surveyor to prepare and submit a plan and estimate for drainage." The erection of East Pilton Fever Hospital was duly proceeded with, at a cost of about £50,000. It was opened in 1896, and is one of the most complete institutions of its kind in the country.

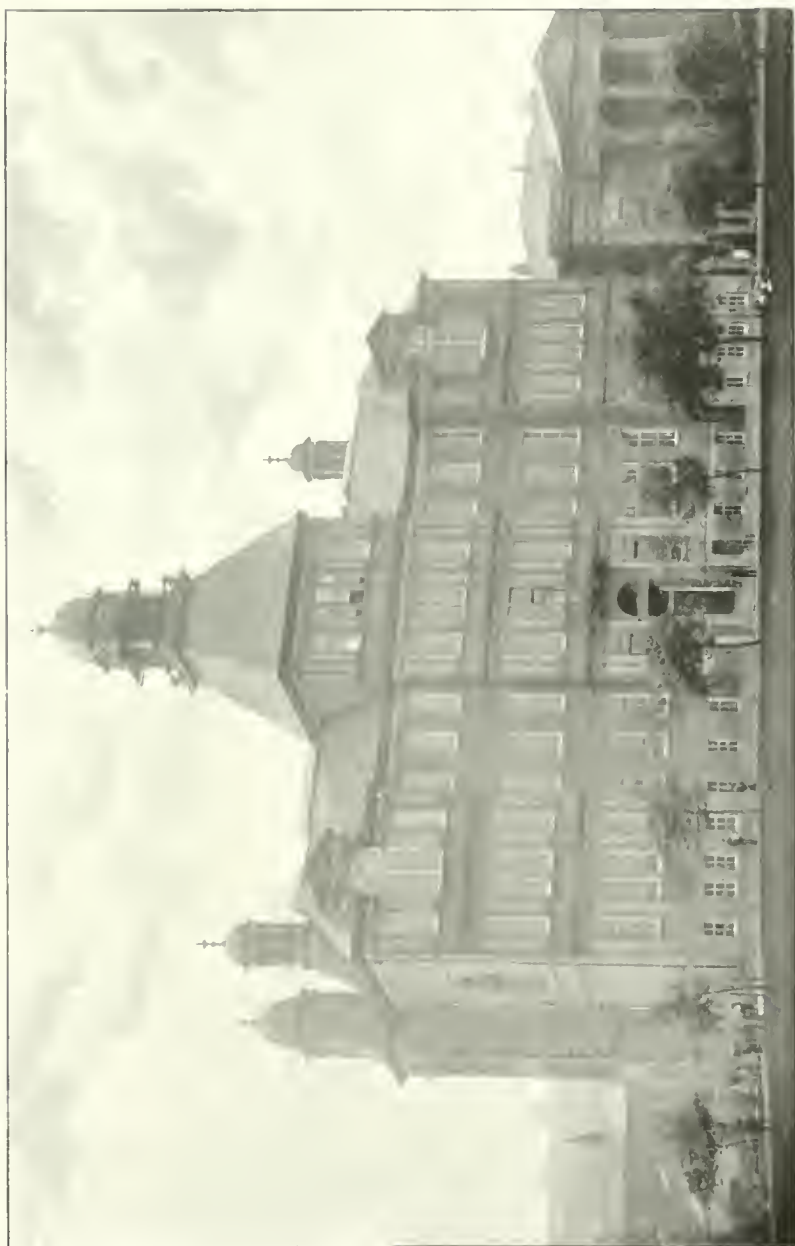
On 30th October 1894 the Corporation Model Lodging House, situated in Parliament Street, and erected in connection with the Improvement Scheme, was opened by Bailie Archibald. The edifice, designed by the late Mr. James Simpson, cost about £8000, and contains 168 beds.

On 2nd May 1896 the foundation stone was laid of the new Leith High School. This school, one of the finest public buildings in Leith, occupies a prominent position in the north-east corner of the Links, on the site of the old Grammar School. The old school, built in 1806, was long the principal educational establishment in Leith, but "methods that in the old days were quite adequate to supply the education then demanded were not sufficient for the present-day requirements." The School Board, after long deliberation, determined to erect a new building, which would be equal to all modern requirements, both as a day and an evening science school. The school is intended to accommodate 2038 scholars, will be fee-paying, and the education will be secondary. The total cost was about £29,000, but against this may be placed £3000 received from Bell's Trust Secondary Education Committee and the Science and Art Department.

The ceremony of laying the foundation stone was performed in presence of a gathering of several thousands of spectators. A procession, composed of the

Industrial School Band, Free Gardeners (British Order), Newhaven Brass Band, Free Gardeners (St. Andrew's Order), Free Gardeners (Ancient Order), Independent Order of Oddfellows, Leith Volunteers, Pipe Band, Independent Order of Good Templars, Independent Order of Rechabites, Independent Order of Scottish Mechanics, other Societies, Band of 6th Inniskilling Dragoon Guards, Masonic Lodge (junior lodges in front), Lodge Trafalgar, No. 223, started from Henderson Street at half-past three p.m., and marched through the principal streets to the High School. A choir, consisting of pupils of the Academy, was accommodated on the roof of an abutting portion of Duncan Place School, and several members of the School Board, including Brother Robert Somerville, the chairman, were present. Mr. Robertson, of Messrs. Kinnear, Moodie, & Co., builders of the Academy, presented Mr. Somerville with a handsome silver salver, and, after suitably acknowledging the gift, he was next presented with a mallet made of wood taken from the old High School. On behalf of the contractors (Messrs. Drysdale & Gilmour, and Messrs. Redpath, Brown, & Co.), Mr. M. C. Grant, Convener of the Finance Committee, was next presented with a silver trowel. Chaplain Brother the Rev. James Park then engaged in prayer, after which coins and papers were deposited in the cavity of the stone. The 100th Psalm was then sung, during which the stone was laid according to Masonic rites, and another prayer offered by Brother Park. After short addresses from Mr. Somerville and Mr. Grant the ceremony concluded.

Leith, like all large commercial seaports, has had its fair share of the casualties which more peculiarly



THE NEW LEATH HIGH SCHOOL.
(From photograph by J. Bishop, Ellicott City.)

appertain to such a position, namely, fires and shipwrecks, and it may be interesting to give a brief account of the more serious cases. As regards fires, Leith has been perhaps unduly unfortunate.

9th August 1865.—By a fire at Hillhousefield, fourteen families were rendered homeless.

22nd July 1866.—An alarming fire took place in the Edinburgh Roperie Company's premises in Bath Street, by which over £2000 damage was done.

26th August 1868.—A sawmill and a great quantity of timber was totally destroyed in Tower Street.

29th June 1870.—A double tenement of dwelling houses in George Street was destroyed. A man was killed by falling débris.

25th July 1870.—A destructive fire occurred in a fish and oil manure work in Salamander Street, whereby two men lost their lives.

2nd December 1871.—Part of the West Pier was burned through melted pitch (with which workmen were repairing the pier) being upset. With the exception of 350 yards at the shore end and 150 at the extremity, the Pier was entirely destroyed.

16th January 1874.—One of the most destructive fires which ever occurred in Leith broke out on the evening of this day, Friday, in Tod's Flour Mills, Commercial Street. The mills were totally destroyed, the damage being estimated at £168,000. On removing the débris, smoke and flames kept bursting out for three weeks after.

6th August 1875.—An old building known as the "Burning Bush" was destroyed. It was formerly used as North Leith Free Church, erected in 1843. It was afterwards used for dancing assemblies, and at the time of the fire was occupied as a wool-waste store.

19th July 1877.—A terrific conflagration, the most disastrous in Leith, occurred on this date at Constitution Street, in the range of premises occupied by Messrs. Aitken & Wright. The fire broke out in a bonded store, filled with Russian spirits, old whisky, brandy, and rum, and spread with alarming rapidity. On the roof of the premises falling in, the burning spirit overflowed into the streets, causing a panic and injuring several persons. The damage was estimated at £221,000.

1880.—A destructive fire occurred at Miller's warehouses at the Links. They were burned down, as was also South Leith Free Church. The damage was £40,000.

7th April 1883.—On this night a fire occurred in a stair leading to a cellar in a tenement on the Shore. Although the fire was slight, a panic ensued, in which two persons lost their lives, one by falling from a height of thirty feet in attempting to escape from an upper storey; the other by being pushed into the harbour during the commotion.

5th April 1885.—On this date another disaster occurred at Tod's Mills. By a spark entering the exhaust chamber an explosion was caused, which hurled the walls into the street below, where three persons—a scavenger and two little boys—were killed outright. By the explosion a steam-pipe was also burst, and two firemen and a boy were so severely scalded that they did not long survive.

24th March 1887.—Fire broke out in the extensive malt barns of Messrs. T. Bernard & Co. at Seafield. The entire building was destroyed, the damage being estimated at £30,000.

2nd March 1888.—The old U.P. Church in Kirkgate (vacated by the congregation in October 1886) was totally destroyed. The fire caused a panic in Coatfield Lane, although no serious accident occurred. The origin of the fire was a mystery. The church was built in 1775, rebuilt in 1801, and re-seated in 1829; it was used as a place of worship for 111 years.

26th June 1891.—Messrs. Aitken & Wright's premises in Constitution Street were again destroyed. Two firemen were killed by falling débris.

26th August 1897.—Wool stores, belonging to Messrs. J. & W. Greig, Jameson Place, Leith Walk, were totally destroyed. The damage was estimated at £15,000.

6th September 1897.—One of the most disastrous fires of recent years occurred on this date, by which the premises of the Cork Company, situated in Easter Road, were totally destroyed. Much damage was done to surrounding property. The loss was estimated at £60,000.

There is a long and heavy record of maritime disasters—of the loss of vessels belonging to or connected with the port of Leith. It will be noticed that all the losses are those of steam-vessels.

12th December 1839.—The *Brilliant*, built in 1821, and a regular trader between Leith and Aberdeen, left the former port on the 11th, and after a boisterous passage reached Aberdeen next morning. In making the harbour she shipped a sea over the starboard quarter, and the master, Wade, was washed overboard and drowned. The vessel then drove against the pier, the blow-off pipes of the boiler burst, and the *Brilliant* took fire, and was burned to the water's edge.

July 1843.—The Leith and Hull steamer *Pegasus* left Leith on the 19th. The night was calm and clear, with a westerly wind. Notwithstanding, about midnight or early next morning, the *Pegasus* struck on the Goldstone, near Holy Island, a rock seldom left uncovered by the tide, and in a situation avoided by navigators. Upwards of forty lives were lost; the survivors—six—were picked up by the same company's steamer *Martello* on her return voyage to Leith.

3rd October 1860.—On this date the steamship *Edinburgh* foundered at sea, and all hands were lost.

25th November 1864.—The steamship *Cronstalt* was lost, with all hands, numbering thirty-four. At a meeting in Leith, held on 22nd December, a sum of £780 was contributed on behalf of the widows and children of the crew. At 4th April the sum collected amounted to £1765, 17s.

11th May 1867.—The *Prince Consort*, belonging to the Leith and Clyde Shipping Company, was wrecked on the Kincardine coast.

December 1867.—The steamships *Ivanhoe* and *Vienna* were lost, with all hands.

24th October 1869.—The *Ossian* collided off Anhort with another vessel, and eleven of the crew were drowned.

19th October 1875.—The steamship *Britannia* stranded on Holy Island while on a voyage from Leith to Newcastle. She became a total wreck.

17th July 1880.—The steamship *Caroline* stranded on Fidra.

2nd February 1882.—The *Iona*, one of the Leith and London steamers, stranded on the Herwit Rock, near Inchkeith. On 30th August she was successfully floated and beached at the West Pier, the sum spent in the operation amounting to about £5000.

March 1883.—In the beginning of this month a hurricane swept over our coasts, which, while causing widespread disaster, levied a heavy contribution on Leith.

The steamship *Navarre* (Messrs. Currie & Co.), 552 tons register,

which left Christiansand for Leith on the 4th, foundered in the North Sea on the 8th. Only sixteen out of eighty-six individuals on board were saved, by fishing smacks which chanced to be in the vicinity when the vessel went down.

The steamship *Marie Stuart* (Messrs. Gibson & Co.), 565 tons register, left Leith on the morning of the 5th for Burntisland, where her cargo was completed. She then continued her voyage to Antwerp, and was last seen in the Firth on the evening of the 6th. Wreckage, marked "*Marie Stuart*," was washed ashore at Whitby two days afterwards. She had on board a crew of eighteen hands.

These fatalities, which became known as the "North Sea Disasters," caused widespread sorrow and sympathy for the destitute widows and children of those who had lost their lives. A public meeting, largely attended, was called by the Provost, to take steps for the "relief of the sufferers by the loss of the above steamers." At a meeting of subscribers, held on 13th April, the following resolutions were passed: 1st. "That the Committee shall have power to distribute the fund, or only such part of it as they may consider judicious, for relieving the distress caused by the loss of the *Navarre* and *Marie Stuart*; and the extent and incidence of such distribution shall be left entirely to their discretion." 2nd. "That the Committee shall conclude its distribution in the cases of the *Navarre* and *Marie Stuart* by 1st October next, or as soon thereafter as possible, and shall place any balance then remaining with bank, in the names of the Provost of Leith, the Chairman of the Leith Chamber of Commerce, and the Master of the Leith Trinity House, as trustees of such balance, under the designation of the 'Leith Maritime Disaster Fund,' and thereupon the existing Committee shall be *ipso facto* dissolved, and the said trustees shall thereafter form a Standing Committee, with power to add to their number, for the purpose of administering the said fund at their discretion." In June the subscriptions amounted to £2557, 7s. 1d. Up to June 1885 the fund had been paid away at the rate of £400 per annum, and the sum remaining at that date was under £1000. The numbers assisted by the fund at first were as follows:—*Navarre*, 22 families; *Staffa* (noticed below), 20; and *Marie Stuart*, 18. In 1889 twelve families remained in receipt of the fund.

December 1883.—The Leith steamer *Staffa* sailed from the Tyne on the 11th for Cadiz with coal, and is supposed to have foundered in the Bay of Biscay with all hands.

17th July 1884.—A Leith barque, the *Vicksburg*, was wrecked on the Pentland Skerries. Nine of the crew were drowned.

December 1886.—The *Tom Morton* (Messrs. Salvesen & Co., Leith) left Cardiff on the 4th for Constantinople with coal. She was never more heard of, and is supposed to have foundered with all hands, numbering twenty-three. All the officers belonged to Leith.

11th January 1891.—The Leith and Newcastle steamer *Britannia* (Messrs. J. Currie & Co.) collided with the Grangemouth and Middlesborough trader *Bear* off St. Abb's Head. The *Bear* sank immediately, and only two out of a crew of fourteen were saved. The *Britannia* was taken in tow by another steamer, but when off Fidra the hawser snapped, and she heeled over and sank. The chief engineer was drowned.

16th September 1894.—The steamship *Iona*, belonging to the London and Edinburgh Shipping Company, left Leith for London on Saturday 14th September. On Monday morning, when near the mouth of the Thames, fire broke out in the ladies' cabin, and before it could be extinguished seven women had perished.

October 1895.—The Leith steamer *Livonia* (980 tons) left Grangemouth for Riga on the 5th, and when off the island of Oeland, in the Baltic, she was run into by the *Napier*, of North Shields. She sank almost immediately, with the loss of eleven lives.

CHAPTER XXXI

NOTES ON THE SHIPPING OF LEITH

As has already been mentioned, little or nothing is known of Leith prior to the year 1128. The granting of the harbour and mills of Leith to the citizens of Edinburgh in 1329, and their subsequent efforts to obtain from Logan of Restalrig convenient access to the former, show that at that period the trade was important enough to excite their cupidity. As may have been gathered from the earlier portion of this work, the trade of Leith in the thirteenth, fourteenth, and fifteenth centuries must have been considerable, although we have not sufficient data from which to calculate its actual dimensions. The unwelcome attentions which the port received from the English are also indirect evidence of its importance. In 1313 the English burned the vessels in the harbour. Burchett and Rapin record that in 1411 an English fleet of ten ships, commanded by Sir Robert Umfraville, ravaged the coasts of the Forth, burning all the shipping, amongst it that of Leith. The numerous early enactments regarding shipping, many of which have already been noticed, show that maritime affairs were looked upon by the Scottish Legislature as of great importance.

By the middle of the fifteenth century the number

of persons engaged in maritime trade had increased to such an extent that in 1457 an Act was passed to restrict the "multitude of saillers"; no one was to engage in trade unless he were "abill and of good fame," and ships were only to be manned by freemen of burghs. In 1466 further restrictions were placed upon those engaged in maritime commerce, and in the same year it was enacted that no ship should sail from Leith or other port without a charter-party. These restrictions, however, had a bad effect on trade, resulting in a scarcity of both ships and sailors. In 1491 James IV. sought to mend matters by enacting that every burgh or town, in proportion to its ability, should build ships and busses (fishing-boats), "and that the least of these ships be not less than 20 tons." The burgh authorities were authorised to compel "all the idle men within their bounds to embark in the said ships for their wages, and, if they refuse, to be banished the burgh."

In the sixteenth century the trade of the port was very flourishing, although its shipping was burned three times: in 1522, by William Fitz-William, who entered the Forth with a squadron of seven ships and burned all the shipping he could lay hands on; and in 1544 and 1547, by Hertford. In 1543 John Barton sailed for France with no less than eleven ships, and shortly afterwards twelve richly-laden ships sailed from Leith for the same country. Birrel also records that in 1596, between July and August, sixty-six ships arrived in the harbour laden with victual.

It is during the period of the Commonwealth that we first get anything like trustworthy figures regarding the maritime trade of Leith. The customs for the last three months of 1654 amounted to

£404, and the excise to £270; altogether £674. At this time the salary of the collector of customs and excise at the port of Leith and precincts ("being the bounds between Berwick and Stirling on the south side of Forth") was £120, while his assistant received £40; twelve "waiters" received £25 each. In 1656 Mr. Thomas Tucker, Registrar to the Commissioners of Excise, was sent to Scotland to introduce order into the customs duties. He describes Leith as a small town, fortified, with a convenient tidal harbour, and a quay of good length for landing goods. If Mr. Tucker's report truly represented the trade of Leith at that time, it was indeed a poor state of affairs for the chief port in Scotland. It seems to have possessed only three vessels of 250 tons, and eleven of 20 tons each. "Notwithstanding that duties were in those days imposed equally on exported and imported goods, the revenue of Leith Port was only £2335; that of Aberdeen, £573; Glasgow, £554. The respective sums drawn from these ports, for imports only, in 1844, were £631,926, £76,529, and £551,841." (*Dom. An. of Scot.*, vol. ii. p. 248.)

In 1661 an Act was passed by the Scottish Parliament for the encouragement of shipping, ordaining that all goods be transported in Scottish ships "from the original places, whence they are in use first to be transported," that all such ships should be navigated by a Scottish master, and that at least three parts of his crew should be Scotsmen. Ships were to be verified as Scottish, and no customer was allowed "the benefit of a Scots skipper to any ship until the same be verified, under pain of deprivation." The Act did not affect imports from Asia, Africa, America, Muscovy, or Italy.

The first authentic return of shipping belonging to Leith is in 1692. At that date the number of ships was twenty-nine, with an aggregate tonnage of 1702 tons, and an estimated value of £7100. The largest ship was only 150 tons, and the highest valued £666. The shore dues were only about £39. Yet the trade of Leith about this time was considerable; traffic was not only carried on with the various European ports, but with the Mediterranean. The principal exports were woollen cloths, druggets, stuffs of all kinds, and linen and corn; the chief imports were linen and fine woollen, wood in various forms from northern Europe, and miscellaneous articles, mostly from Holland. Tea was also imported about this time; an Edinburgh merchant paid £225, 15s. for a chest of Bohea at 15s. per pound. In 1705 Bohea was 35s. and green tea 16s. per pound.

After the Union, maritime affairs in Scotland seem to have received more attention than they did formerly, and from this period the trade of Leith steadily increased. In 1709 a list of the ships, barques, and boats, and other small craft belonging to Leith and Newhaven, with the names of their masters and numbers of their crews, and also a list of the whole seafaring men inhabiting these places, was ordered to be made by the Lord High Admiral of Great Britain.

In 1716 the first published table of fees leviable at the port of Leith appeared. It was "adjusted, settled, and mutually agreed upon by the Right Honourable the Lord Provost and Honourable Magistrates of this city, and by the Honourable Commissioners of His Majesty's Customs." With this list were also published "General Rules" for the regulation of shipping at the port. That the dues then levied

pressed heavily, even on local trade, may be inferred from the fact that in 1728 Kinghorn thought it necessary to petition "as to losses they sustained through dues levied on cattle landed at Leith."

Although more directly connected with the harbour than with shipping, two extracts from the city treasurer's accounts in reference to the lighting of the harbour entrance may be given:—

1735.		£	s.	d.
Aprile	18. Paid Jolin Fergusson, Candlemaker, for candle furnished to the Pier End of Leith in October 1729, 1730, and 1731	3	12	5
June	18. Paid William Mathison for Candle to the Lanthorn at the End of the Pier, from Sept. 1734 to Aprile 1735, and his salary for Lighting them	2	16	6

It will be seen from the amounts, that the good town was economical in the matter of harbour lights.

In 1740 Leith possessed forty-seven vessels, with an aggregate tonnage of 2628 tons; by 1752 this was increased to sixty-eight ships of, aggregately, 6935 tons. Even at this period seamen gave trouble owing to their reluctance to go on board their ships when on the point of sailing, as the following proclamation, issued by Walter Scott, bailie of Leith, on 8th August 1741, shows: "Whereas the separate commanders of the five East India ships, lying in the roads of Leith, have signified that the said ships are to sail early to-morrow; the sailors belonging to the said ships are to repair on board, under penalty of loss of wages and imprisonment as deserters. Thir presents to be published by tuek of drumme through Leith, that none may pretend ignorance.—WALTER SCOTTE, B."

In 1752 a notable instance of exercise of authority

on the part of the Scottish Admiralty Court occurred. Captain (afterwards Sir Hugh) Palliser, in command of the *Seahorse*, then lying at Leith, had impressed an apprentice from a Scottish trading vessel, and had treated with gross contempt a notice to deliver him up, although served with all the formalities by the macer, messengers-at-arms, etc., of the Scottish Court. A warrant was accordingly issued for the apprehension of the captain, and shortly afterwards (26th March), on his visiting Edinburgh, he was arrested and lodged in the Tolbooth. As he still refused to deliver up "one of the king's sailors,"—a refusal accompanied by terrific threats,—the contumacious captain was kept in limbo for six weeks, at the end of which time he saw fit to release the apprentice. Lord Chancellor Hardwicke remarked that the Scottish Admiralty judge "was a bold one," but that what "he had done was right." The gallant captain (for he afterwards proved his bravery) had his revenge, however. Claret at that time managed, for the most part, to pass into Scotland without paying duty, and in consequence was drunk like water by all classes. Captain Palliser threatened to make these frauds on the revenue matter for parliamentary investigation, and the duties were then enforced.

In 1763 the shore dues at Leith were £580, an increase of about £540 since 1692. It was possible, even then, to take too large a view of Leith's prosperity; the following, from the *Scots Magazine* for December 1769, probably very much overstates the case:—

"Take one year with another, about 1700 vessels are cleared out and in yearly at Leith. Some days ago an acute merchant took a serious view of the shipping in the harbour of Leith, and reckoned upon

a calculation that there would be between 30,000 and 35,000 tonnage at one and the same time mooring there." Arnot, in 1778, gives more accurate figures. In that year the number of vessels engaged in foreign trade was 52, aggregating 6800 tons, and the number of vessels engaged in coasting and fishing trades was 44, of 3346 tons. The imports at that time were very much the same as now, although, of course, in very much smaller quantity; but the exports to foreign parts show a curious difference. Porter and strong beer were exported to nearly every country in Europe, America, and the West Indies (*small* beer was also exported to Spain); coaches or chariots were exported to Russia, Poland, France, and the West Indies; coal to nearly all countries; glass bottles, lead, rum, and oil of vitriol figure largely among the exports; while to Russia and North America were exported almost every manufactured article. In regard to America, Arnot is careful to note in his list, "before the differences with that country."

About 1783 the shore dues at the port had increased to £4000, and in 1792 the tonnage had also increased to 18,468.

In November of the latter year, when the Radical "Friends of the People" were alarming the authorities with the announcement of their intention to hold a convention at Edinburgh, matters were further complicated by the sailors at Leith positively refusing to go to sea unless they received a considerable advance of wages. On the 18th of the month a meeting was held in order, if possible, to adjust the differences. It was attended by the Provost of the city, the Sheriff, the two Bailies of Leith, and a number of merchants and shipmasters from

the port. After a lengthened deliberation it was agreed that the following terms should be offered to the sailors who were "on strike" at Leith, viz :—“(1) The run to London, in place of three guineas, to be £4, 15s. in full of wages loading or unloading ; (2) the run to Hull, £3 in full ; (3) the run to Newcastle, £2, 10s. in full ; (4) all other runs to be in proportion to the above ; (5) the monthly wages, in place of 30s., to be £2, and the sailors to pay Greenwich money, and to be at liberty to pay poor's money to the Trinity Hospital or not as they please, but, in case they don't pay, to have no benefit from the funds of that house ; (6) the wives at home to get 10s. of monthly money out of their husband's wages ; (7) that the monthly wages shall continue until the vessels are discharged by the crew, and shall be in full of all demands.” This arrangement having met with the approbation of the merchants and shipmasters in Leith, it was presented for the acceptance of the sailors, and they were “required and enjoined immediately to return to their duty, and behave in the most peaceable manner, with certification that if, after this date, they should be found assembling in any tumultuous manner, or stop or impede any person whatever in the execution of his duty, they would be prosecuted and punished in terms of law.” The terms, however, appear to have been agreeable to the sailors, as they at once returned to their duty, and the Magistrates were left free to deal with the Friends of the People, many of whom, as is well known, were arrested and tried before the High Court of Justiciary.

During the long war with France the port of Leith was an extremely busy place, owing to the Forth being one of the naval stations on the East Coast. An

extensive contraband trade, too, was carried on with the Continent ; and whatever might be the state of the country generally, Leith, with other East Coast ports, enjoyed a high degree of temporary prosperity.

In 1814 the Elbe, which for some years had been closed against Great Britain by Napoleon Bonaparte, was opened, and Leith merchants launched wildly into large speculations, exporting almost every kind of goods to Hamburg, thinking thereby to realise large profits. But other British ports also exported heavily, and the consequence was a glut in the Hamburg market. A great downfall of prices took place, and goods had to be parted with at one-half or one-third of cost price. Most of the Leith exporters could not meet their losses, large houses came to grief, and it was many years ere Leith recovered from the calamity.

The *Leith Commercial List*, of date 25th March 1814, shows the different goods exported from Leith at this time :—“ 10,761 pairs of worsted stockings to Amsterdam, in two shipments ; to Bergen, 200 bolls potatoes ; to Christiansand, 300 bolls ; to Copenhagen, 1505 gallons rum ; to Lisbon, 75 tierces beef, 100 barrels pork, 28,800 yards cotton goods, 7539 lbs. oil of vitriol, a large quantity of wheat, oats, barley, peas, and beans, brought coastwise from Dunbar, Eyemouth, Crail, St. Andrews, Largo, Elie, and lots of Irish oats from Glasgow, a great deal of sugar, coffee, etc., from Greenock and Port-Glasgow. Large quantities of goods were sent coastwise to London, Hull, Newcastle, Greenock, etc. It is noted that the *Oberon*, sloop-of-war, will take convoy to Elsinore, first fair wind.”

In 1812 the first steamboat, the *Lady of the Lake*, was introduced into the Firth. It plied between Leith and Alloa. It was not actually the first vessel

propelled by steam which had been seen at Leith. In 1788 a paddle-ship, designed by Patrick Miller, of Dalswinton, and called the *Experiment*, was launched from the yard of Allan & Stewart. She was a kind of double ship, about ninety feet long, and provided with wheels. Her trial trip was fairly satisfactory, but nothing came of it at the time.

In 1822 the "Australian Company" was formed, and established by Act of Parliament in 1824. It was a joint-stock company, and many of the Edinburgh and Leith merchants had shares in it. The company possessed four ships of large tonnage, and traded chiefly with Sydney, carrying both passengers and goods. The company prospered for some years, but, on account of losses and depreciation of stock, was wound up and the ships sold, about 1838.

Before the age of steam, communication with Fife was carried on by luggers plying between Leith and Kinghorn, Kirkealdy, Dysart, and other Fife ports. They were excellent sea boats, and could stand rough weather well, although they were sometimes blown down as far as the Bass, and it was no unusual circumstance, when the wind was contrary, for a whole day, or even longer, to be consumed in the Fife passage.

Steam also put an end to a kind of vessel long exclusively identified with the port—the famous old Leith and London smacks. We find, as early as 1720, that the *Bon-Accord*, Captain Buchanan, is advertised to sail to London with passengers on 30th June, and to "keep the day, goods or no goods," and a similar notice appears in 1722 concerning the "*Unity* packet-boat of Leith," the master to be spoken to in the Laigh Coffee House. In 1743 one of these packets, after a twenty

days' voyage, only got as far as Holy Island, through stress of weather. In 1749 there were regular sailings to London, which averaged one, or sometimes two, each month in the year. The following advertisement appeared in the *Edinburgh Chronicle*, 2nd June 1759 :—
“For London, the ship *Reward*, old England built, William Marshall, master, now lying at the birth, Barne's Nook, Leith Harbour, taking in goods, and will sail with the first convoy. The said master to be spoken with at the ‘Caledonia,’ or Forest's Coffee House, Edinburgh, or at his house in Broad Wynd, Leith, N.B. The ship is an exceedingly fast sailor, has good accommodation for passengers, and good usage may be depended upon.”

The shipping trade between Leith and London towards the end of last century was chiefly carried on by means of clumsy brigs, ranging from 160 to 200 tons register, and having very imperfect cabin accommodation. Passengers between Edinburgh and London consequently preferred making the trip by the smacks which carried salmon between Berwick and the Metropolis. This passenger traffic increased to such an extent that, in 1791, the Leith and Berwick Shipping Company established their headquarters at Leith, the smacks in their southward voyage merely touching at Berwick for their cargoes of salmon.

So successful did this venture prove that in 1802 the merchants of Leith organised a company of their own, under the name of the Edinburgh and Leith Shipping Company, which carried on traffic with London with six smacks. In 1809 this latter company was absorbed by the London and Edinburgh Shipping Company,—formed by a number of the leading merchants in Edinburgh and Leith,—which started with

ten smacks. Another company, the Union, which had for fifty years previously traded from Berwick, in 1803 removed to Leith, and in 1809 it was also absorbed by the London and Edinburgh. This latter company, one of the oldest in existence, still flourishes. The smacks with which they started were famous in their day, being named the *Sprightly*, *Eliza*, *Pilot*, *Fifeshire*, *Prompt*, *Trusty*, *Comet*, *Eclipse*, *Superb*, *Favourite*, *Robert Bruce*, *Royal Sovereign*, and *Earl of Hopetoun*. After a time these were converted into schooners, which in their turn were displaced by the Aberdeen-built clippers, *Rapid*, *Nonsuch*, *Swift*, and *Dart*. These latter held their own for a time against steam, which began to be introduced between 1826 and 1830; but in the end steam was triumphant, and the clippers had to be withdrawn. Among the present steamers of the company are the *Fingal*, *Meteor*, *Iona*, *Malrina*, and *Marmion*, which may rank among the finest steamers of their size afloat. The company also carries on an extensive trade with Peninsular ports.

In 1812 the London and Leith Old Shipping Company was formed out of the original Leith and Berwick, and was succeeded two years afterwards by the Edinburgh, Glasgow, and Leith Shipping Company, which in 1820 formed a junction with the Edinburgh and Leith, sailing together eight smacks, under the designation of the London, Leith, Edinburgh, and Glasgow Shipping Company. In 1821 the London and Edinburgh Steam Packet Company was formed, and such was its success that the London, Leith, Edinburgh, and Glasgow Company superseded their fine smacks by powerful steamers. In 1836 the London and Edinburgh Steam Packet Company was

merged in the General Steam Navigation Company, whose London steamers sail from Granton.

Besides the Leith and London companies, there were, about 1805, the following companies trading from Leith :—Leith and Greenock Shipping Company, Leith and Greenock New Shipping Company, Leith and Glasgow Shipping Company (these three used the Forth and Clyde Canal), Leith and Hull Shipping Company, Leith and Hull New Shipping Company, Leith and Newcastle Shipping Company, Leith and Inverness Shipping Company, Leith and Perth Shipping Company, Greenland Shipping Company (for the whale fishing), and Messrs. Sibbald & Co. and Messrs. Raeburn & Co., trading with the West Indies.

Trade with the northern part of the Continent has always been extensive, and may be said to form the principal trade of Leith. The Leith, Hamburg, and Rotterdam Shipping Company (George Gibson & Co.) was formed in 1818, to carry goods and passengers in schooners between Leith and Hamburg and other Continental ports. In 1850 the first steamer, the *Balmoral*, was built for the company. Messrs. George Gibson & Co. have now a fleet of about fifteen steamers trading between Leith and Harlingen, Amsterdam, Rotterdam, Terneuzen, Antwerp, Ostend, Ghent, Dunkirk, and Dieppe.

In 1835 the small beginning was made of what has grown to be the largest shipping company of Leith, trading under the name of the Leith, Hull, and Hamburg Steam Packet Company. In that year a few merchants of Leith formed a company with the intention of trading between that port and Hull with a single steamer. The venture was successful, and in 1853, when Mr. Thomas Barclay, the principal partner

and prime mover in the concern, died, the business, which had now become a very important one, was transferred to a new company, with an extended capital. The new company commenced business with a fleet of five steamers, and that business was gradually extended, first to Hamburg, and then to the Baltic ports. At that time there was very little competition in this direction, and the company experienced a rapid increase of trade, necessitating a corresponding augmentation of their fleet. Since those times the business of the company has steadily developed, and they now possess a fleet of about forty vessels, in which no modern improvement is neglected. Messrs. James Currie & Co. assumed the management in 1862. The importance of the company's trade to the port may be realised from the fact that their steamers pay close on 20 per cent. of the total tonnage dues on shipping, while nearly 25 per cent. of the total dock dues is paid in the cargoes conveyed by their steamers. They may, in fact, be considered as contributing to the extent of quite one-fourth to the revenue of the port.

The first mention of the whale fishery in connection with Leith is in 1616, when James IV. granted to Sir George Hay and Mr. Thomas Murray a patent of the whale fishing for thirty-five years. Two ships were in consequence fitted out for the purpose. The industry was carried on from that date until the beginning of the nineteenth century, or up to about the year 1842, although little is recorded about it.

The whale ships went yearly from Leith to Greenland and Davis Straits to fish, and, when they had a successful fishing, returning with a full cargo, as they frequently did, they brought much wealth into

the port. The owners of most of them were Messrs. Peter and Christopher Wood, who boiled the blubber in premises at Timber Bush. The blubber was brought home in heavy iron-bound casks, which were hoisted from the holds of the vessels lying in the Old Docks, lowered into boats, then rowed to Tower Street, where they were taken in at the back doors of the boiling-house. For some weeks after the arrival of the whale ships a strong, pungent, oily smell pervaded the port, which was called the "Woods' scent-bottle." There were also four other whalers owned in Leith, but these sailed up to Bo'ness to discharge and boil the oil, and lay there during the winter.

The whalers generally sailed in March, returning in October or November from Davis Straits, but if they only went to Greenland they arrived some time sooner. They were ships of from 300 to 400 tons register, with bows strongly and specially built to enable them to cope with the ice. They each carried crews of from forty to fifty men, drawn from Prestonpans, Cockenzie, and other fishing villages on the coast, who were well acquainted with the fishing, and were also provided with young surgeons. If short, they sometimes embarked men at Lerwick and other ports. The sailing of the whalers from Leith harbour was always a great event; crowds lining the quay and pier, evincing the greatest interest on the occasion. The vessels, full rigged, well manned, and fully equipped for their perilous voyage, made a splendid appearance in clearing out of the harbour. Many of them were lost in the ice, and, though replaced by several new ships, the trade dwindled down till now, when not a single whaler sails from Leith.

In 1834, 227 vessels were registered in Leith, the

tonnage of which amounted to 23,558. In 1836 the customs revenue of Leith amounted to £514,974.

In 1849 the tonnage of Leith was 22,499, the dock revenue was £29,209, and the customs revenue was £566,312.

In 1864 the tonnage which entered the harbour amounted to 56,215 tons of British sailing ships, with 159,139 tons of coasters, 116,733 of British steamships, and 142,139 of coastwise; and 115,000 of foreign steamships, and 5097 tons of coastwise. In this year the grain imported amounted to 858,599 quarters; flour, 126,717 bags; wood, 65,818 loads; guano, 18,000 tons.

The same year the dues on shipping amounted to £16,153; and on goods imported, £19,965, and exported, £3719. The customs revenue had, however, fallen to £431,610. In 1863 the tonnage belonging to the port was 46,249.

Grain has always been an important item of the trade of Leith, and may now be said to form the principal import. In 1881 there were imported 1,135,127 quarters of grain, and 238,313 bags of flour; and in 1896, 1,507,000 quarters grain and 530,000 sacks flour (the last year includes Granton). The bulk of this wheat supply is drawn from North America, but large cargoes are also imported from Northern Russia. Malting barley, of which 400,000 quarters were imported in 1896, is mostly drawn from California, Syria, and Northern Africa.

Previous to 1880 there was practically no service of steamers between Leith and the United States, but in that year, at the instigation of Messrs. Hugh Blaik & Co. and a few Leith merchants, an endeavour was made to organise a regular service between Leith and

New York. Although the scheme was looked upon as impracticable by most of the leading mercantile firms, it was proceeded with, and the "Excelsior Line" was established, with steamers, owned by Messrs. Dent & Co., Newcastle-on-Tyne, running about every three weeks. Return cargoes to the States were unobtainable, but, notwithstanding this difficulty, the line secured a firm footing, and gradually had to utilise the services of larger steamers, until at the present time boats of from 4000 to 5000 tons, sailing every week or ten days, are now regularly running. Large export cargoes are also shipped, consisting of spirits, beer, chemicals, wool, sulphate of ammonia, paper stock, corkwood, and other general merchandise. The line is now known as the "Arrow Line," and Messrs. Simpson, Spence, & Young take charge at New York.

There are also regular lines from Baltimore, Norfolk, Newport News, and Montreal, but the bulk of the traffic is controlled by the Arrow Line.

Besides the companies already mentioned trading from the port, there are the North of Scotland and Orkney and Shetland Steam Navigation Company; the Levingston Line, trading to Holland, Belgium, and France; Messrs. M. Langlands & Sons, trading with Scottish ports, and also Liverpool; Messrs. William Thomson & Co. and Messrs. James Cormack & Co., trading with Northern Russia; Messrs. Christian Salvesen & Co., trading with Aarhus, Christiania, and Gothenburg; Messrs. R. & D. Slimon, trading with Iceland; and others.

At the present time the imports consist chiefly, besides grain, of wood, guano and other manures; fish, fresh and cured; sugar, fruit, esparto, oilcake, flax, and hemp. The exports are coal (the principal export),

pig iron, malleable iron, ale and beer, oil, and sulphate of ammonia.

The exports for the year 1896 amounted, roughly, to 730,000 tons, an increase of about 60,000 over the previous year; the imports amounted to 700,000, an increase on the previous year of about 25,000 tons. The dock revenue for the same year amounted to about £78,000, an increase of about £6000 over 1895. The customs revenue for 1893 was £842,421; for 1894, £864,306; for 1895, £930,401; and for 1896, £1,000,545.

Shipbuilding has been carried on at the port from the earliest times, but it has never, except during the first half of the nineteenth century, developed into an important industry.

The following letter, among others, was written in 1763 by the Earl of Elgin to Robert Dryborough, evidently a shipbuilder in Leith, regarding a ship the Earl wished built. The Earl was not above being a trading shipowner. The original letters are in the writer's possession.

“SIR,—I should have let you know my determination about the vessel we are in terms for, but am waiting for some information from Sheels by Newcastle, where I'm informed a very extensive trade of the kind I'm proposing is carried on. I want to know from that place what kind of vessels they make use of, they carry lime in shells, near an hundred miles along the coast of England. As soon as I get all the information I can, shall let you know, and I hope we shall then be able to make a bargain. I don't expect hearing anything about the affair till the end of this week, therefore thought proper to let you know that you

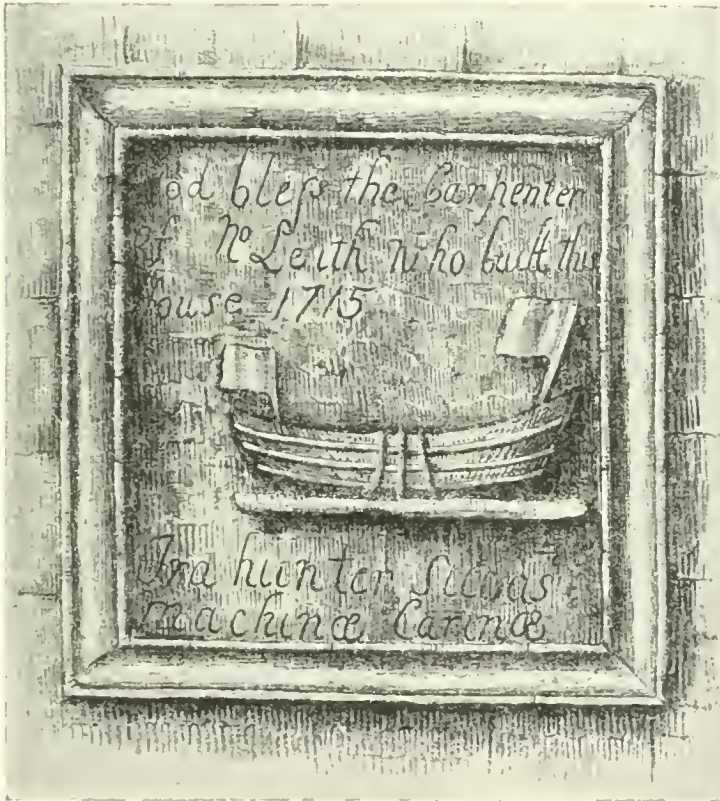
might take any other work in hand in the meantime. Let me know by the bearer if you could build a vessel with a deeper hold than five foot and a half under the beam, and to draw but four foot water when load.—
I am, sir, your humble servant, ELGIN, ETC.

“EDINBURGH, 18th Jan. 1763.”

The Leith shipbuilders, as has been said, did a large business in the early part of the nineteenth century. Robert Menzies & Co. was an extensive and well-known firm, and built many fine ships. Sime & Ranken, also, did a large business. Messrs. Morton & Co., the inventors of the patent slip, had their yard near the site of Junction Bridge, where they built many vessels. Mr. Anderson's yard was situated where Messrs. Hawthorn & Co.'s engineering works now are.

In 1840 a Government steamer and a merchant ship, larger than any of their respective classes previously built in Leith, was built by Messrs. Menzies & Co. Other large ships built about the same time seemed to lead to the belief that Leith would become an important shipbuilding centre, but the development of shipbuilding on the Clyde and at Aberdeen gradually drew the industry from Leith. A few iron steamships of small tonnage are still built annually, and many fine yachts have been launched from the Leith yards, but now perhaps most business is done in the branch of ship-repairing. In 1894 the aggregate amount of tonnage launched at Leith was 6061; in 1895, 5259; and in 1896, 3376, the lowest recorded tonnage for the previous ten years. The principal shipbuilding firms in Leith are Messrs. Ramage & Ferguson, Messrs. Hawthorn & Co., and Messrs. Morton & Co.

In Coburg Street there is a relic of Old Leith—a large square stone, representing the ship carpenters' arms, within a moulded panel. It bears a three-decked ship with two flags, at stem and stern. Above it is the motto: "God bless the Carpenter of No. Leith who built this House 1715." Underneath the ship is the line, *Tra hunc ter siccās machinæ carinæ*, misquoted from Horace (Carm., lib. i. 4). This stone stood originally in the wall of a mansion opposite St. Ninian's Church, but is now rebuilt into a modern edifice in Coburg Street.



CHAPTER XXXII

LEITH GOLFING—LEITH RACES

THE origin of golf, a game long peculiar to Scotland, is lost in the mists of antiquity. The first authentic mention of the game is in 1457, in the reign of James II., when a statute was passed prohibiting the game of golf, lest it should interfere with the practice of archery. This shows that at that time the pastime must have attained considerable popularity. In the two subsequent reigns, in 1471 and in 1491, similar statutes were passed, although in 1505-6 we find James IV. openly breaking his own ordinance, for in that year there are sundry entries in the accounts of the Lord High Treasurers for balls and clubs for the King. Thus early did golf become a "royal game," and thus it continued until the last of the Stuarts.

Leith Links seems to have been one of the early homes of golf. Tradition has it that John Knox, after his duties in the pulpit on Sundays, enjoyed his game on Leith Links in the afternoon. "Certainly his idea, and the idea of our early Reformers,—indeed, we may say, the true Scottish idea of Sunday,—was that the early part should be given to worship in the house of God, and that after divine service all were free to indulge in bodily recreation. The old Session and Town Council records, of which we hear so much,

dealt chiefly with offenders who neglected worship altogether, and golfed during the *tyme of preaching or the tyme of sermounes*" (*East Lothian Golf Book*, p. 36). Nevertheless, the Town Council of Edinburgh, in 1592 and in 1593, passed ordinances prohibiting golf altogether on Sundays, as "profaning the Sabbath day"; but this only because, apparently, some would



persist in playing "during tyme of sermounes." In the second ordinance, Leith Links are specially mentioned as the scene of these profanations. Many culprits were "wardet" and fined for indulging in the game during prohibited hours. Thus, in 1608, John Henrie, Pat. Bogie, and others, were "accusit for playing of the Gowff on the Links of Leith everie Sabbath the time of the sermounes, notwithstanding

of the admonition past befor; were convict of xx lib. ilk ane of them, and ordainit to be wardet until the same wer payit, and to find cantoun not to do the lyke again at na tyme heirefter, under the paine of c lib."

James VI. interested himself much in golf. By "ane letter," dated Holyrood House, 4th April 1603, "William Mayne, bower, burgess of Edinburgh," is declared to be "during all the days of his lyf-time, master fledger, bower, club-maker, and spier-maker to his Hieness, alsweill for game as weir." But although at this period golf was patronised by all ranks of society, there were not in Scotland workmen cunning enough to manufacture balls, which were imported from Holland. In order to promote home manufacture, James, in 1618, as "no small quantitie of gold and silver is transported zeirlye out of his Hienes Kingdome of Scotland for bying of golf ballis," confers on James Melvil, "for the space of twentie-ane zeiris," a monopoly of ball manufacture, each ball not to exceed in price "four schillingis money of this realm."

James, who had no particular sympathy with Presbyterian strictness, in the same year (1618) rebuked the "precise people," and ordained that "after the end of divine service, our good people be not disturbed, letted, or discouraged from any lawfull recreation," but prohibited "the said recreations to any that are not in the church at the service of God before their going to the said recreations." Charles I., in 1633, ratified this enactment.

Among the golfers of the period who frequented Leith Links was William Cowper, Dean of the Chapel Royal and Bishop of Galloway from 1612 to 1619. He was a very holy and good man, "if he had

not been," adds Johnston of Warriston, "corrupted by superior powers, and the worldly cares of a bishopric." His elevation to the see involved him in petty and incessant controversies with his Presbyterian brethren, who had the highest esteem for him previous to his changed convictions, but thereafter made him the butt of their satire, although they could bring no worse accusation against him than an attachment to golf. He was also pestered by the "wives of Edinburgh"; and one of these spiritual viragoes, having accused him of apostasy, summoned him, it is said, to appear before the divine tribunal, to hear the verdict she had just pronounced on him, ratified by the Judge of all the earth. "Within a day or two after," says Row, "being at his pastime on the Links of Leith, he was terrified with a vision or an apprehension; for he said to his playfellows, after he had in an affrighted and commoved way cast away his play-instruments, 'I vow to be about with these two men who have come upon me with drawn swords!' When his playfellows replied, 'My lord, it is a dream; we saw no such thing,' he was silent, went home trembling, took to bed instantly, and died."

The Earl of Montrose, created Marquis by Charles I. in 1641, when a youth attending St. Andrews College, was famous for his skill in archery and golf. Sometimes, on his return to St. Andrews from Edinburgh, where he found a home with his elder sister, Lady Margaret Napier, he paused a day at Leith. Here, in 1629, he expends ten shillings "for two golf balls, my lord going to the golf there."

Charles I. was extremely fond of the game. In 1642, while engaged in a match of golf on Leith Links, a letter was delivered to him giving him the first

intelligence of the Irish Rebellion. "On reading which," says Mr. Tytler of Woodhouselee, "he suddenly called for his coach, and, leaning on one of his attendants, and in great agitation, drove to the Palace of Holyrood, whence next day he set out for London." In this latter particular Mr. Tytler is wrong, as Charles did not leave Edinburgh on his return to England until 18th November.

In the years 1681 and 1682, when the Duke of York, afterwards James II., was Commissioner in Scotland, he was frequently seen in a party at golf on the Links of Leith. "I remember," says Mr. Tytler, "in my youth to have often conversed with an old man named Andrew Dickson, a golf-club maker, who said that when a boy he used to carry the Duke's golf-clubs, and to run before him and announce where the ball fell." Dickson was then performing the duties of what is called a *fore-caddie* to His Grace.

Connected with a house of some antiquity in the Canongate is a tradition, in which the Duke of York and the Links of Leith bear prominent parts. Two English noblemen, who followed the Court, and boasted of their expertness at golf, were one day debating with His Royal Highness the question whether the game were peculiar to England or Scotland. Having some difficulty in coming to a decision on this point, it was proposed to decide the dispute by an appeal to the game itself, and a large sum of money was staked on the result of a match to be played on the Links of Leith with His Royal Highness and any Scotsman he could bring forward. The partner recommended was John Paterson, a shoemaker, who was not only the best player of his day, but whose ancestors had been renowned for unequalled skill in the sport.

Patersone, however, expressed great unwillingness to enter into a match of such consequence; but, on the Duke encouraging him, he promised to do his best. The match was played, the Duke and his humble partner were victorious, and the latter was dismissed with a reward corresponding to the importance of his service—the lion's share of the stake played for. With this money Patersone soon afterwards built a large house in the Canongate, and the Duke caused to be placed on its façade an escutcheon bearing the arms of the family of Patersone, surmounted by a crest and motto appropriate to the distinction acquired by its owner as a golfer. It has since been known as John Patersone's house or the Golfers' Land. Local historians have called in question the accuracy of this tradition. "It seems a pity," says Dr. Wilson, "to have to disturb in any degree a tradition backed by such incontrovertible facts. But it appears probable, from the evidence of title-deeds, that the Golfers' Land was *lost*, not won, by the gambling propensities of its owner. In 1691 he grants a bond over the property for £400 Scots. This is followed by letters of caption and horning, and other direful symptoms of legal assault, which pursue the poor golfer to his grave, and remain behind as his sole legacy to his heirs." Nevertheless, the architecture of the edifice, which belongs to the later years of Charles II., strengthens the idea of its having been built by Patersone out of the spoils he had won; and his lucky award may have been the incentive which led him to play for other stakes in which he was less successful.

Dated ten years before the Duke of York's visit to Scotland are the following entries in the notebook of Sir John Foulis, Bart., of Ravelston, which show that

he and others of his position were enthusiastic golf-players.

		£	s.	d.
"1672.				
Jan. 13.	Lost at golfe with Pitarro and Commissar			
	Munro	0	13	0
	Lost at Golfe with Lyon and Hary Hay	1	4	0
Feb. 14.	Spent at Leithe at Golfe	2	0	0
„ 26.	Spent at Leithe at golfe	1	9	0
March 2.	For three golfe balls	0	15	0
	Lost at golfe, at Musselburgh, with Gosford,			
	Lyon, &c.	3	5	0
April 13.	To the boy who carried my clubs, when my			
	Lord Register and Newbyth was at the			
	Links	0	4	0
Nov. 19.	Lost at golfe with the Chancellour, Lyon,			
	Master of Saltoun, &c.	5	10	0
	For golfe balls	0	12	0
„ 30.	Lost at golfe with the Chaneellour, Duke			
	Hamilton, &c.	4	15	0
Dec. 7.	For a golfe club to Archie (his son)	0	6	0

The above sums are of course in money *Scots*.

In 1724 the Honourable Alexander Elphinstone, elder brother of the unfortunate Lord Balmerino, engaged on Leith Links in what the newspapers of that day called "a solemn match at golf" with another personage, the notorious Captain John Porteous of the City Guard—for a stake of 20 guineas. So great was the interest excited in this match, on account of the reputation of the players for skill, that it was attended by the Duke of Hamilton, the Earl of Morton, and a vast crowd of spectators. Elphinstone proved the winner. President Forbes was an enthusiastic golfer, and he frequently played on the Links of Leith when they were covered with snow. In his manuscript journal, under date 1st November 1728, he says: "This day,

after a very hard pull, I got the better of my son at gowf on Musselburgh Links. If he was as good at other things as he is at that, there might be some hopes of him." In a poem entitled "The Goff," written by Thomas Mathieson, and published in 1743, we find the Links of Leith thus alluded to—

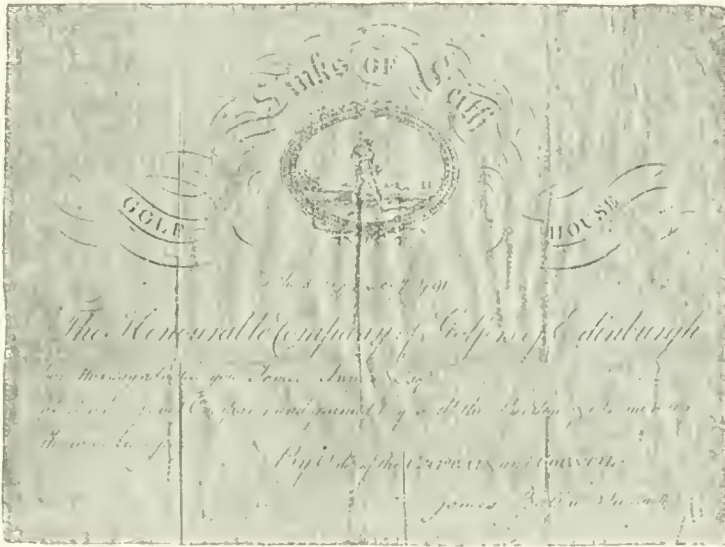
"North from Edina, eight furlongs or more,
Lies that famed field on Forth's sounding shore,
Here Caledonian chiefs for health resort—
Confirms their sinews in the manly sport."

In the year 1744 the "Honourable Edinburgh Company of Golfers" was originated under the patronage of the Magistrates of the city, but previous to that date two private societies had been established under the titles, respectively, of the "Edinburgh Burgess" and the "Bruntsfield Links." In March 1744, the Magistrates of Edinburgh having been "from time to time applied to," appointed their "treasurer to cause make a silver club of £15 value, to be played for on the Links of Leith, the first Monday of April annually." Among the regulations for playing for the silver club was the following:—"It is declared that, upon no pretence whatever, the City of Edinburgh shall be put to any sort of expense upon account of playing for the said Club annually, except to intimate by Tuck of Drum, through the City, the day upon which it shall be annually played for, and to send the Silver Club to Leith upon the morning appointed for the Match." The club was carried down in state by a city official, attended by a couple of drummers. In April 1745, just before the rising in the Highlands, the Lord President Forbes was one of the competitors for the silver club, together with Hew

Dalrymple, Lord Hailes, and other men then eminent in the city. Except during the years 1746 and 1747, and 1832-35, this club has been regularly played for. The victor was required "to append a gold or silver piece to the prize." A writer in the *Scots Magazine* in 1792 says that "there are now appended to it about forty-four silver balls, bearing the names of the respective conquerors." The winner was styled captain, and was president of the Company for the year. As a further encouragement, the Company themselves gave two annual prizes to be played for, the one a silver cup value ten guineas, on which were engraved the winner's name and his armorial bearings, with a suitable inscription. The other prize was a gold medal, given to the best player, to be worn for a year, or for so many years as he could maintain his superiority. Up to 1764 the conditions of the competition for the silver club left the trophy open to any golfer, high or low; but in that year the Company approached the Town Council to have the competition restricted. This request was granted, and after that date the "captains of golf" were to admit only such noblemen or gentlemen "as they approve of to be members of the Company of Golfers," and "no person whatever, other than members of the Golf Company, shall be entitled to play for the silver club given by the good town."

In 1768 twenty-two members of the Company subscribed £30 each for the purpose of building a house where the meetings of the society might be held. Accordingly, a piece of ground was feued from the Magistrates of Edinburgh at the south-west corner of the Links, near the foot of Easter Road, on which a "Golf-house" was erected and vested in certain

trustees for the behoof of the whole subscribers. In 1800 the "Honourable Company of Golfers" was incorporated by a charter from the Magistrates of Edinburgh, and for many years afterwards the meetings of the club, which comprised some of the most eminent men of the time, were regularly held at Leith, for recreation on the Links, and for conviviality in the golf-house. Evil days, however, were rapidly ap-



THE HONOURABLE COMPANY OF GOLFERS: CERTIFICATE OF MEMBERSHIP (1791).

proaching. Some change on the surface of the Links, rendering them less attractive as playing ground, combined with a change of tastes, led to the gradual abandonment of the Links by the Edinburgh golfers, and in 1831 it was found necessary, from the state of the funds, to dispose of the golf-house and furniture. This was accordingly done; and such was the apathy of the members that the portraits of old and esteemed

players which adorned the walls, together with various paraphernalia belonging to the Company, and which possessed a traditionary value, were sacrificed for the merest trifles. After an interregnum of five years the Company was revived at Musselburgh, which for more than half a century continued to be its headquarters. In 1891 the headquarters were removed to Muirfield, in East Lothian.

Smollett, in his *Humphry Clinker*, after detailing the mode in which the game is played, says: "Of this diversion the Scots are so fond that, when the weather will permit, you may see a multitude of all ranks, from the senator of justice to the lowest tradesmen, mingled together in their shirts, and following the balls with the utmost eagerness. Among others, I was shown one particular set of golfers, the youngest of whom was turned of fourscore. They were all gentlemen of independent fortunes, who had amused themselves with this pastime for the best part of a century without ever having felt the least alarm from sickness or disgust, and they never went to bed without having each the best part of a gallon of claret in his belly! Such uninterrupted exercise, co-operation with the keen air from the sea, must, without doubt, keep the appetite always on edge, and steel the constitution against all the common attacks of dis temper."

Before the departure of the Honourable Company, golfing on Leith Links had sadly degenerated. Campbell, in 1827, complains that "the solitary parties of players who may now be occasionally seen wandering over the Links, go through the business of the game with a coldness and heartlessness of manner which sufficiently announces that the true and ancient spirit

of the sport is gone. They play as if it was an act of condescension to be pleased with so vulgar and simple a recreation, and stalk over the ground with a gravity which would be an acquisition to a funeral procession." Commenting on the above, Hutchison, in 1853, says: "Sorry are we to say that we cannot give any brighter tints to this melancholy picture. The golfers are even more rare nowadays, and they but too evidently consist of parties who are only *learning* to play. A veteran occasionally pops in amongst them, in a ghost-like fashion, and shows them what a good stroke is. . . . Such is the deplorable declension of the present day, that we have actually met with people in Leith who did not know what the game of golf was." Matters have not mended since then, and a *golfer* on Leith Links is now a rare bird indeed.

The Links of Leith were, in the good old days, the scene of another but less reputable form of sport, namely, cock-fighting. Cock-fighting, or cocking, was introduced into Scotland about the beginning of the eighteenth century, and soon became a national pastime. By the year 1702 there was a cockpit established on Leith Links, the charges of admission being 10d. for the front row, 7d. for the second, and 4d. for the third. Two years afterwards, so general had the passion for cock-fighting become that the Magistrates of Edinburgh forbade its practice in the streets. In 1705 a Mr. William Machrie published an *Essay on the Innocent and Royal Recreation and Art of Cocking*, in which he says: "I am not ashamed to declare to the world that I have a special veneration and esteem for these gentlemen, without and about this city, who have entered in society for propagating and establishing the royal recreation of cocking, in order to

which they have already erected a cockpit in the Links of Leith ; and I earnestly wish that their generous and laudable example may be imitated," etc. In the early years of the nineteenth century there was also a cockpit on the sands, and the brutal amusement was greatly patronised by the inhabitants.

The sands of Leith, so often mentioned in this work, are now practically no more, having been to a large extent "reclaimed" and built over, but they will long be remembered as the place where the Edinburgh Races, more familiarly known as Leith Races, were held.

At what period horse-racing was introduced into Scotland is uncertain. We first find authentic mention of horse-racing about the beginning of the seventeenth century, when races were held at Cupar, Lanark, and Hamilton, and, if the sport was not introduced by James VI., it certainly received much encouragement from him. During the Commonwealth racing was suppressed, and naturally at the Restoration it was revived with great spirit, advertisements of Cupar and Lanark Races at that time ascribing the suppression of the sport to the "*iniquity* of the times."

We first hear of Leith Races in 1661. In the *Mercurius Caledonius*, published in that year, they are spoken of as "our accustomed recreations," which shows that at that period they were no novelty. The following is an extract from the paper :—"Our accustomed recreations on the Sands of Leith were much hindered to-day [Saturday, 2nd March 1661] by reason of a furious storm of wind, accompanied with a thick snow, yet we have had some noble gamesters that were so constant at their sport as would not forbear a designed horse march. It was a providence the wind was from the sea, otherwise they had run the hazard either of

drowning or splitting upon Inchkeith." There was present at the races a Waywood of Polonia, who came mounted on a Tartarian horse "to congratulate our happy Restoration."

Edinburgh Races on Leith Sands became a great yearly institution. People congregated at these races from the most distant parts of the country. Some of the most noted celebrities of the day were sure to be found on Leith course, and the festivities were never complete without their presence.

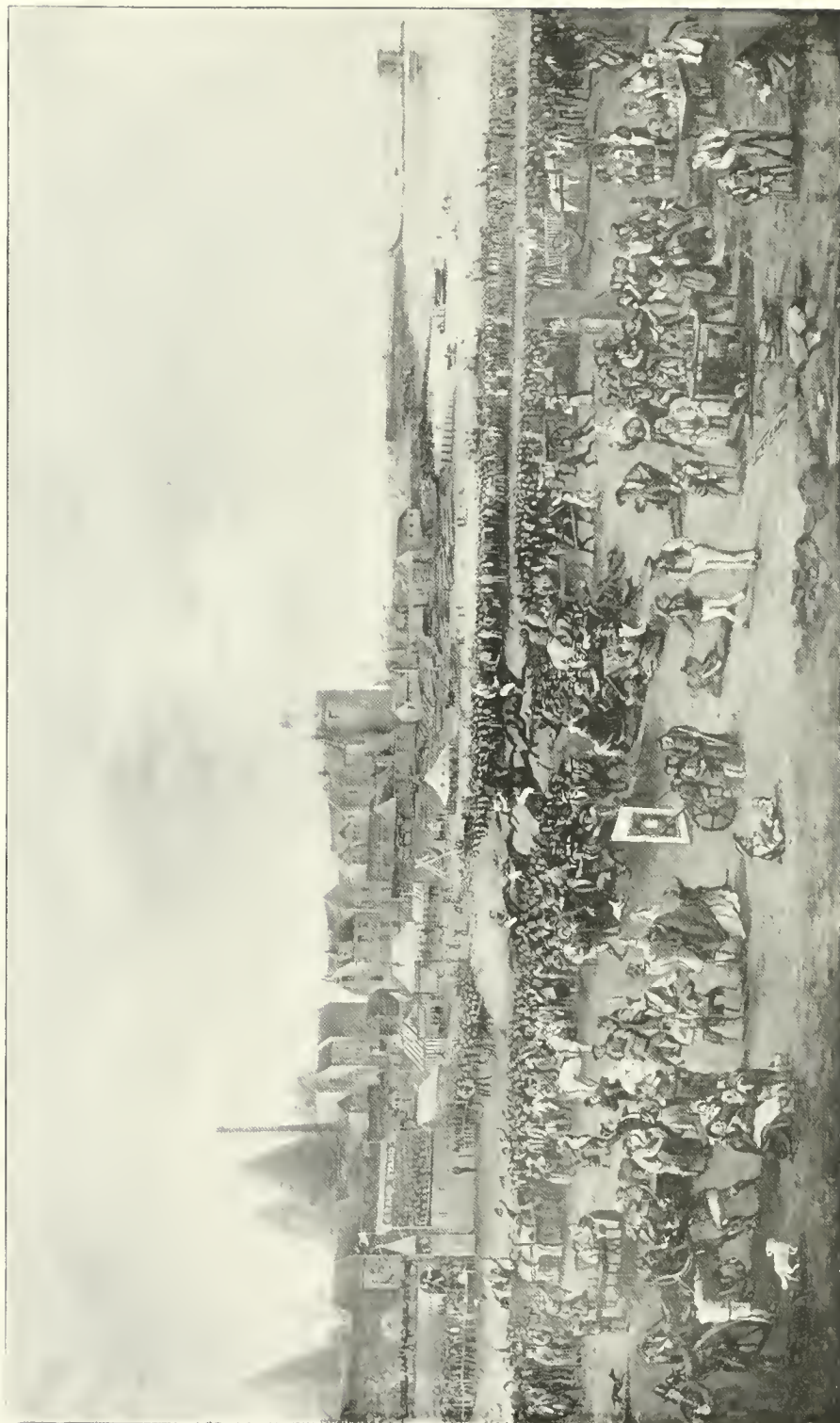
The earlier records of the races have been lost; but a few quotations from entries of a later date will show that, in the progress of things generally, "jockeyism," under distinguished patronage, has in no way altered:—"List of horses booked for His Majesty's purse of 100 guineas, to be run over the Sands of Leith on Monday, 1st July 1771. . . . 29th June 1771, appeared Wm. Sowerby, servant to Major Lawrie, and entered a bay colt horse, callit 'Young Mirza'; rider, said Wm.; livery, crimson; and produced certificate, dated at Lowther Hall, signed by Edward Halls, dated 24th May 1770, bearing the said horse to be no more than four years old last grass. . . . Appeared the Right Honble. the Earl of Kelly, entered 'Lightfoot,' etc. Appeared Sir Archld. Hope, bart., entered 'Monkey,' etc. The horse 'Young Mirza' wan the purse." "For the race advertised for a plate of 60 pounds and upwards, on Saturday before the race, the Duke of Buccleuch, who signe the articles, marked with his own hande 80 in place of 60, the prize to be paid in money, not a plate. Compeared Mr. James Rannie, mert. in Leith, and entered a bay horse, 'Cockspur,' belonging to His Grace the Duke of Buccleuch. This horse wan. This was a four mile

course, one heat, and was run in 8 min. 40 sec." In the articles we find: "14 hands to carry nine stone; horses take their age from May Day; 4 inches make a hand, 14 lb. a stone, 1760 yards a mile, 240 yards a distance." The Duke of Hamilton and Earl of Eglinton repeatedly entered horses; and we find, in 1777, the Duke giving the 100 guineas which he had gained, in aid of the construction of the observatory on the Calton Hill.

The Town Council of Edinburgh, from early times, patronised the races; and the following items, from the treasurer's accounts, will show that they did the thing in some style, if we are to judge from the amounts spent on coaches:—

1734.		£	s.	d.
		(Sterling)		
Dec. 21.	Paid John Johnstone, Coachman, for Coaches to the Council at the Races by Account discharged	5	10	0
	To his servants	0	3	0
1735.				
Aug. 11.	Spent with Magistrates ye first Race	1	19	3
	With ditto at 2nd Race.	0	2	0
	With ditto in Patrick Grants, the 3rd Race	4	12	6
	Paid Drink money to the City Guard during ye Races	1	1	0
	Paid Miss Johnstone for Coaches to the 3 Races	7	13	0
	To her Servants Drink Money	0	5	0
	Paid for a Coach more to bring some of the Council from Leith	0	3	6
„ 17.	Paid Walter Rudiman for advertisements in the <i>Mercury</i> about the races, etc.	2	19	0

In the *Weekly Journal* newspaper of 13th June 1803 we find an interesting entry as to the Edinburgh Races, which are thus advertised: "To be run for on the Sands of Leith, on Monday the 18th July. The



LEITH RACES.

(Reproduced from a painting by William Reid, in possession of Mr. D. McQueen, Hanover Street, Edinburgh.)

City of Edinburgh purse of £50, the best of 3, four mile heats. Tuesday—His Majesty's purse of 100 guineas, best of 3, four mile heats. Wednesday—The Noblemen and Gentlemen subscription of 50 guineas, 3 four mile heats. Friday—Ladies purse of 50 guineas, 3 four mile heats. Saturday—a purse for the beaten horses. The horses to be booked by the Town Clerk of Leith, at his office, on the Saturday preceding the races, when the horses are to be shown, the proper certificates produced, and the entry-money paid."

"On the approach of the races," says Campbell, "which generally took place in the last week of July or the beginning of August, a great many fashionable families, who resided throughout the year at a distance from the capital, as well as those who had left it merely to spend the summer months in the country, flocked into the town. This influx of wealthy and idle people kept the city, during the whole of the race week, in a state of feverish excitation, and converted it into one continued scene of gaiety and dissipation. These, again, were contrasted with another class not less happy, but infinitely worse attired, the mechanics and others, the humbler natives of Auld Reekie, who in mirthful squads kept filing alongst Leith Walk. To these we must add a third genus, which occupied a fully more prominent place than either in the heart-stirring scene, the boys of Edinburgh."

As Leith Races were held under the patronage of the Magistrates of Edinburgh, it was usual for one of the city officers, in gala dress, to walk in procession every morning during the week, bearing aloft on the end of a pole a gaily-ornamented purse, styled the "city purse." Marching in his rear was the town-guard drummer, who continued beating a tattoo at his heels

all the way to the race-ground. "The procession, which at the outset consisted only of the officer and the drummer, or sometimes a file or two of the town-guard, better known by the familiar appellation of the *toun rats*, gathered strength as it moved along the line of march, from a constant accession of boys, who were every morning on the lookout for the *corps diplomatique*, and who preferred, according to their own phrase, 'gaun down wi' the purse,' to any other way. Such a dense mass of them surrounded the officer and his attendant drummer, that, long before the procession reached Leith, both had wholly disappeared." The town-guard were also marched down to Leith every day in full costume. The march of these veterans is thus humorously described by Robert Ferguson—

"Come, hafe a care (the captain cries),
On guns your bagnets thraw;
Now mind your manual exercise,
And march down raw by raw.
And as they march, he'll glour about,
Tent a' their cuts an' scars;
'Mang these full many a gausy snout
Has gushed in birth-day wars,
Wi' blude that day."

Hutchison thus touches upon the minor amusements which accompanied the races:—"These consisted of shows, wheels of fortune, and rowly-powly in endless variety; and last, though not least, whole streets of drinking-booths and tents. Suffice it to say, that for an entire week the town was one continued scene of racing, drinking, and fighting, and the sports were usually concluded by a general demolition of the booths, and a promiscuous fighting-match amongst

those who, in spite of whisky and previous pugilistic encounters, were still able to keep their legs. That anybody, save the most degraded, should have regretted the abolition of these saturnalia may seem rather strange, but nevertheless it is the fact that, when these races were transferred to the vastly superior course at Musselburgh, many otherwise sensible men (Campbell among them) spoke as if a serious blow had been struck at the prosperity of the auld toon."

Leith Races were transferred to the Links of Musselburgh in the year 1816 (after having been held in Leith for nearly two hundred years), these being considered better adapted for that amusement than the heavy wet sands of Leith, which had nothing but their flatness and extent to recommend them, and where, from the nature of the course, strength was as necessary in the contest as speed. From this circumstance it must have frequently happened that the strongest and not the swiftest animal bore away the palm.

The races were, however, re-established on Leith Sands in 1836, and continued to be held there until 1856, in which year the Magistrates and Dock Commissioners refused the requisite permission, and they were thus finally brought to an end.

CHAPTER XXXIII

PORTERS, CARTERS, METERS AND WEIGHERS

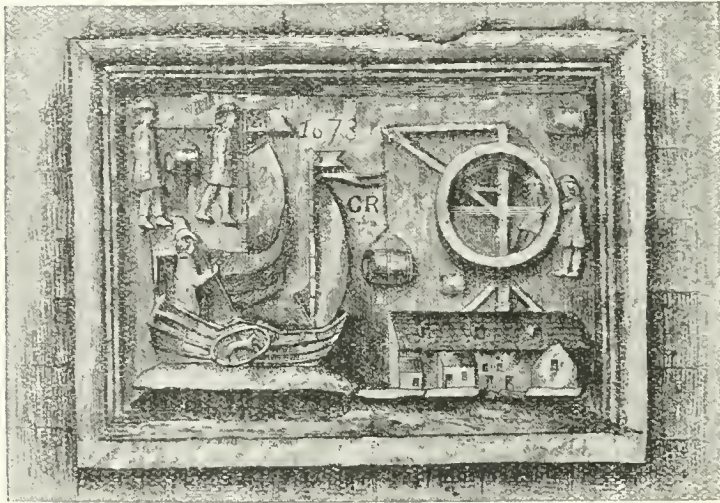
THE earliest notice of the porters of Leith is in the year 1496, when we find in the treasurer's accounts a payment made to them for "bering burde's to the bote and for bering housing and putting in the bote and stakking and gryding tymmyr." The porters are there called "pynouris," a word the derivation of which has caused some speculation. Professor Skeat says: "I suspect that pynour, or painer, just means labourer, and is of French origin." Mr Bullock, in his work on "Pynours," says, in speaking of the Aberdeen pynours: "In the first record concerning the pynours, carters are also referred to, but from that date forward they are not again mentioned in the connection, and we are therefore left to assume that wheeled vehicles for transport did not, for a very long time at least, constitute a mode of conveyance among the pynours. The primitive rule seems to have been that whatever would lift as a back burden or birne, spoken of as a man's lift or a woman's lift, was so carried, and in the very earliest records we find the operation spoken of as 'tursing.' To facilitate the carrying of back burdens, and to save the uniform, a thickly-padded 'back' with armlets was employed. The uniform itself, now almost discarded, consisted of the braid

bonnet, a strong blue pilot swallow-tailed coat with brass buttons, and substantial corduroys. Before a lift was made the coat tails were carefully folded up, so as to form a kind of rest for the birne, and to hinder it from slipping to the ground."

The statutory back burden for pynours was one hundredweight, but burdens up to four hundredweights, or even more, were carried for proportionately shorter distances. The strength sometimes displayed was almost incredible. Six hundredweights have been lifted by one man from a lorry to the upper floor of a warehouse, and it is said that a porter once lifted a burden of half a ton for some distance. Once a householder, who had received a very heavy package, expressed some concern for the safety of the porter's back. "There is no fear of my back," rejoined the porter, "if there is none for your stair." A burden too heavy for one man was called a "twa men's lift," and it was carried either on the backs of the two men walking shoulder to shoulder, or as a stang or sting lift, that is, suspended from a pole or sting resting on the shoulders of the men. This mode of carrying is illustrated in an old tablet, dated 1678, now placed over the entrance to the Old Sugar House Close, Tolbooth Wynd. Daniel Wilson, in his *Memorials of Edinburgh*, thus describes it:—

"Near the top of the Tolbooth Wynd an ancient signal tower stands. It is furnished with little port holes at the top resembling those designed for musketry in our old Border peel-towers and fortalices, but which were constructed here, we presume, for the more peaceful object of watching the owner's merchant vessels as they entered the Firth. An unusually striking piece of sculpture in very bold relief occupies

a large panel over the archway leading into the courtyard behind. It bears the date 1678, and amongst sundry other antique objects the representation of a singularly rude specimen of mechanical ingenuity. This consists of a crane, the whole machinery of which is comprised in one large drum, or broad wheel made to revolve like the wire cylinder of a squirrel's cage, by a poor labourer who occupies the quadruped's place, and clambers up, Sisyphus-like, in his endless tread-



mill. The perspective, with the grouping and proportions of the whole composition, form altogether an amusing and curious sample of both the mechanical and the fine arts of the seventeenth century."

Maitland of Lethington, according to Calderwood, was carried sick from Leith to Edinburgh Castle by six workmen with "sting and ling," that is, with poles and a litter.

The Leith porters seem at one time to have been a body of considerable importance, and of some standing

in the town. During the No-Popery agitation in 1779, they petitioned against the repeal of the disability laws (see page 177). Their petition is as follows:—

“LEITH, *January* 26, 1779.

“WE, the Members of the Four Old Companies of Porters in Leith, having met to express our sentiments of the intended Bill, for repealing the statutes against Roman Catholics in Scotland: We Rejoice that we were bred and educated in the Protestant religion, and would wish to transmit the same inviolate to our posterity. We with all humility apprehend, that though all fears of a Pretender are banished, and the power and influence of the Pope become feeble, ridiculous, and despicable in this country; yet we impute this to the wise and salutary laws made by our Legislature in former times, which prevent the restless machinations of Jesuits, and teachers of that religion. We express our abhorrence of that tyrannical and bloody religion, at the same time that we wish a free toleration to every person professing the Protestant religion in this country: Had the intended Bill only mitigated the penal laws, which debarred persons from succeeding to family estates, who, from the misfortune of family prejudices, have conceived an unhappy attachment to the Roman Catholic religion from their infancy, it might not, in our humble opinion, have been attended with any bad consequences; but to authorise the public exercise of that religion, allow Papists to take charge of the education of youth, and to purchase lands, must be fatal to the Protestant religion, and to the peace and security of this country; and therefore we will contribute our mite in opposing such a Bill, and unanimously agree to concur with our

Protestant brethren, in every legal and constitutional measure, to prevent the said repeal.

“ ROBERT NOBLE, *Box-master*.

“ JOHN FERGUSON, } *Key-masters.*”

“ ARCH. HAMILTON, }

From time immemorial the Leith porters were divided into companies, each company restricted to a certain class of work. The Sugar Company, now called Gibson's Company; the Wine Company, now known as Telford's Company; the Pockman's Company (1515), now known as Crawford's Company; and the Meter Companies, connected with the grain trade, are among the oldest, and are probably those referred to in the above petition. A “company” consists of a gang of twelve men, and a union of several companies constitutes a “society.” Each society works under its own rules, and possesses the usual features of a friendly and benefit society.

Like that of the porters, the origin of the Incorporation of Carters is very old, dating from 1555, by charter from Logan of Restalrig. They also possess charters from Scottish sovereigns, but these are now quite undecipherable. Although at one time a reward was offered to anyone who could read them, all that could be made out was something with reference to the carters laying down crimson cloth at the landing of some ancient queen. The carters lost their trade privileges, along with other guilds and incorporations, at the passing of the Reform Act, but they have continued their incorporation as a benefit and friendly society. The society is somewhat exclusive: applicants for admission must be over eighteen and under thirty years of age. For the son of

a member an entrance fee of £5 is charged, an applicant who has married the daughter of a member must pay £7, while a stranger desiring to join the incorporation must pay £40 entrance fee. The value of the society's assets is £6000, while the income is about £250.

The Meters and Weighers are among the most ancient of the incorporations of Leith. They were constituted, it is believed, by Act of Council of the city of Edinburgh, but no trace of the original constitution exists, and their rights and privileges have been renewed from time to time by the city. The earliest extant document, dated 27th May 1551, regarding the meters and weighers, is in reference to the choosing of meters, and rendered into modern language is as follows:—"The Provost, Bailies, and Councillors find that the choosing of the meters of all grain and salt brought into Leith ought to be by the Council and Judges, and that the measures should be delivered to the Farmer of the Wild Adventures to be used by whom he pleases to assign them to, and therefore have chosen the persons following to be meters, viz. : John Guthrie, Adam Weatherstone, and Thomas Hastie, which were sworn thereto, and ordain all the Common Measures to be delivered to Francis Tennant, Farmer of Wild Adventures, and ordain the said meters to be equal partners of weighing in time coming." The Farmer of the Wild Adventures, it may be explained, was a person who contracted to pay the Council a certain sum annually, he having the collection of all the duties, or certain of the duties, payable by ships coming to the port of Leith.

In 1821, and again in February 1826, the Society of the Meters and Weighers, who, owing to "circumstances which it is unnecessary to enter into [and

which cannot now be satisfactorily explained, although they may have been owing in some manner to the confused relations which at this time existed between Edinburgh and Leith], are in danger of being altogether annihilated," petitioned the Town Council to form them into a society under their Act of Council. They also submitted certain rules for regulating their conduct; requested powers "to choose Box-master or Preses, Key-keepers or Committee; and also to levy from the members certain quarterly and other payments, to assist those who may be unable to provide for themselves by reason of sickness, old age, or infirmity, and to secure a fund for defraying the funeral expenses of such as may stand in need of such assistance." This petition, and the accompanying rules, the Lord Provost and Town Council approved, and these rules are substantially those which still govern the body as a friendly society. In 1828 the society petitioned for, and obtained, a few slight alterations in their rules, among which was, that when not engaged as meters or weighers the members should be entitled to follow any other business or employment, excepting that of keeping a public-house or tavern.

In 1851 a question arose as to who had the right of appointing the meters and weighers, whose duty it was to measure or weigh all grain brought into the port of Leith. The opinion of counsel (John Cowan, Esq.) was, that while the Town Council of Edinburgh had jurisdiction over Leith they had the power of constituting the meters and weighers into an incorporated society, but, in virtue of the Act 9 Vict. cap. 17, the exclusive privileges conferred on the meters and weighers were abolished, and, by force of the special Acts relative to the harbour, the Dock

Commissioners had now the power to appoint the meters and weighers, and also to fix reasonable rates. This opinion was concurred in by John Marshall, Esq., and Lord Advocate Moncreiff, the latter of whom said that the exceptional powers of the Magistrates (of Leith) made it desirable that they should co-operate with the Dock Commissioners in the appointment and superintendence of these officers, and the regulations of the scale of charges, etc. Applicants for admission to the Association of Meters and Weighers are now sworn by the Magistrates of Leith, and are licensed by the Dock Commissioners.

The Dock Commissioners, in their case for the opinion of counsel in 1851, gave this testimony to the honesty and integrity of the meters and weighers: "They [the meters and weighers] enjoy the confidence, for integrity and accuracy, of the merchants employing them. They are sworn before the Magistrates faithfully to perform their duties, and the quantities and weights certified by them are generally held decisive and satisfactory in any dispute that may arise."

CHAPTER XXXIV

COMMUNION PLATE OF SOUTH AND NORTH LEITH
CHURCHES—LEITH COMMUNION TOKENS

THE earliest record regarding South Leith Church communion plate is in 1637, in which year Lord Ruthven presented to the church a gold cup and trencher, in consideration of his receiving from the Incorporation of Tailors seats for himself and family, and also a burial-place for himself. The entry in *South Leith Kirk Session Records* regarding this is as follows:—

1637, Dec. 14.—“This day Sr. Thomas Thomesone of Dudingstoune presented to or Sessione in name of My Lord Generall Ruthven Ane gryt Goald Cwpe ye Shall thairof of Wpricht betten goald ye fit and Stalk thairof of Silver ouer gwilt wt goald And an Trincher of wpricht Betten goald And these for ye vse of this or church for ye seruice of or Comunione And ded supplicat yt it micht please ye sessione to cause procure Libertie and actes to The Teailzeours fore Leach (laigh) seat in ye church for ye wsse of ye said nobell Lord his wyfe and children During their Residence in Lyth And also that they would Cause Reserve ane Buirell place in ye church for himselfe to wit My Lord General Rithuen that qn it sall please ye Lord god to call him from this Lyfe that his Corpes may be interred thair and or Sessione Willinglie

granted his petitione and promised those Two things should be provyded. The qlk Coupe and Trincher the persone of Restalrig moderatoure for ye tyme hes reserved and taken in keeping."

The following descriptions of South and North Leith Church communion plate are from the Rev. Mr. Burns's *Old Scottish Communion Plate*.

South Leith Church possesses a fine old captional basin—referred to in the Kirk Session Records as a laver—of the first half of the seventeenth century. 1647, October 8.—"Our Bailies, James Eilies and David Vilkie, gifted to our Kirk sessione yis day ane silver Laver for the use of ye Kirk of South Leith" (*South Leith Kirk Session Records*). On the rim, which is flat, there is engraved: "Gifted to the South Kirk of Leith by James Rocheid and James Ellies and David Vilkie Baillies 1647."

Two silver cups bear the following inscription round the lip:—"DILEXI JEHOVA DECORVM DOMVS TVAE SOVTH LEITH"; and on the foot of one of them: "GIVIN TO THE SOVT KIRK OF LEITH BE WILLIAM TROTTER AND JAMES BARNES BAILLES IN TYME OF PEST *anno* 1645."

The only entry in the Kirk Session Records which reveals the history of these cups is the following:—"1643, March 30.—The qlk day (efter incalling vps god) the thesaurer was ordained to cause make ane silver coup against the comunione."

Two other old cups, on which are engraved, "DILEXI IEHOVA DECORUM DOMVS TVAE," were procured for the church in 1638, as is shown by the following entry in the Kirk Session Records:—"1638, Oct. 12.—The said Day thair was presented And Delivered to or sessione Two silver Basons . . . wt

Two silver Cropes. . . . The qlk Basens And Coups or sessione appoynted to be made be the Leard of pilrig, And in payment thairof or sessione caused tht The gowld coupe And gowld Trinchar that was given be richt honerabill generall Ruthven to or church for or communione as also or sessione Directed ane other silver piece to be sold to him in payment The qlk silver peice was Left to or church be Wm. Balfoure in his ler will. The forsaid Basens is appoynted to be kept in or Chairtour Chist for the Service of or communione of the bodie and blood of Jesus Chryst."

These two silver basins are still possessed by the church. They are engraved on the rim thus :—On the outer circle: "DEO AND ECCLESIAE LETHENSI AVSTRALI DI PA RUTHVEN? EQUITVM TRIBVNVS ME D. D. 1638"; on the inner circle: "LONGIORI VSV ATTRITVM ET LACERATVM INSTAVRARI ET E PURIORI ARGENTO DENVO CONFLARI CURAVIT DICTAE ECCLESIAE CONSISTORIVM ANNO DOMI 1718."

It would appear from the following Kirk Session Minutes that they were renewed in 1718 :—

"1718, January 30.—Reported that the Committee did meet and according to appointment Revised the Treasurer's Book for the moneths of October, November, and December, and found it right. And this day it was subscribed by the session. The Committee also are of opinion That the Bullion, and forefaulted pawn-sole, belonging to the Session be disposed of and applyed for mending the Basons. That the Clerk should give a note of all the forefaulted pawns to the Treasurer, and that John Smith and Patrick Anderson should go to the Clerk for that effect, And are of opinion that Charles Duncan should be employed to

renew the Basons which overtures the Session approved of."

Four communion cups and a baptismal basin appear to have been gifted to North Leith Church in 1673. One of these cups bears the inscription round the lip of the bowl outside (Ps. cxvi. 13): "I will take the cup of salvation, and call upon the name of the Lord." On the foot: "This . cup . gifted . to . the . Kirk . of . North . Leith . by . Mr. . Tho. . Wilkie . and . others . whos . names . are . recorded . in . the . said . Kirk : books : anno : 1673." The donor whose name is mentioned was the Rev. Thomas Wilkie, M.A., translated from Galashiels, presented by the elders, deacons, and inhabitants, 8th December 1671; collated (by James, Archbishop of St. Andrews) and instituted 4th January 1672, and translated to Edinburgh in 1687. The cup was probably gifted to signalise his ministry in Leith.

The three other cups bear a similar inscription on the lip of the bowl, but on the foot of each is engraved as follows:—

"The gifte of the Masters and Maireners of North Leith to the Kirk of North Leith anno 1673."

"The gifte of the shipbuilders and carpenters of North Leith to the Kirk of North Leith anno 1673."

"Gifted to the Kirk of North Leith anno 1673 by Mr. H. Alcombe, C. Neilsone, G. Dallos, A. Chrystie, W. Stewart."

The baptismal basin has the following inscription round the rim: "Gifted the treds of North Leith to the Kirk of North Leith anno 1673." As this basin bears the deacon's punch of James Symontoun, deacon 1665–67, it must be at least six years older than the date it bears.

Four brass collecting plates, still in use in South

Leith Church, are fine specimens of their kind. Nothing is known of their history; they are very old, and much larger than similarly ornamented plates in other parish churches.

There are several entries in *South Leith Kirk Session Records* regarding communion tokens in use during the eighteenth century.

2nd July 1723.—“Appoints the square tokens marked with the cyphered S.L.K., 1701, to be made use of on this occasion.”

2nd July 1724.—“Appoints the round Tokens marked S.L.K. on the one side and plain on the other side to be made use of on this occasion.”

25th June 1724.—“Orders the round Tokens marked S.L.K. on one side and the figure of the church on the other side to be made use of on this occasion.” (Fig. 1.)



FIG. 1.



FIG. 2.



FIG. 3.



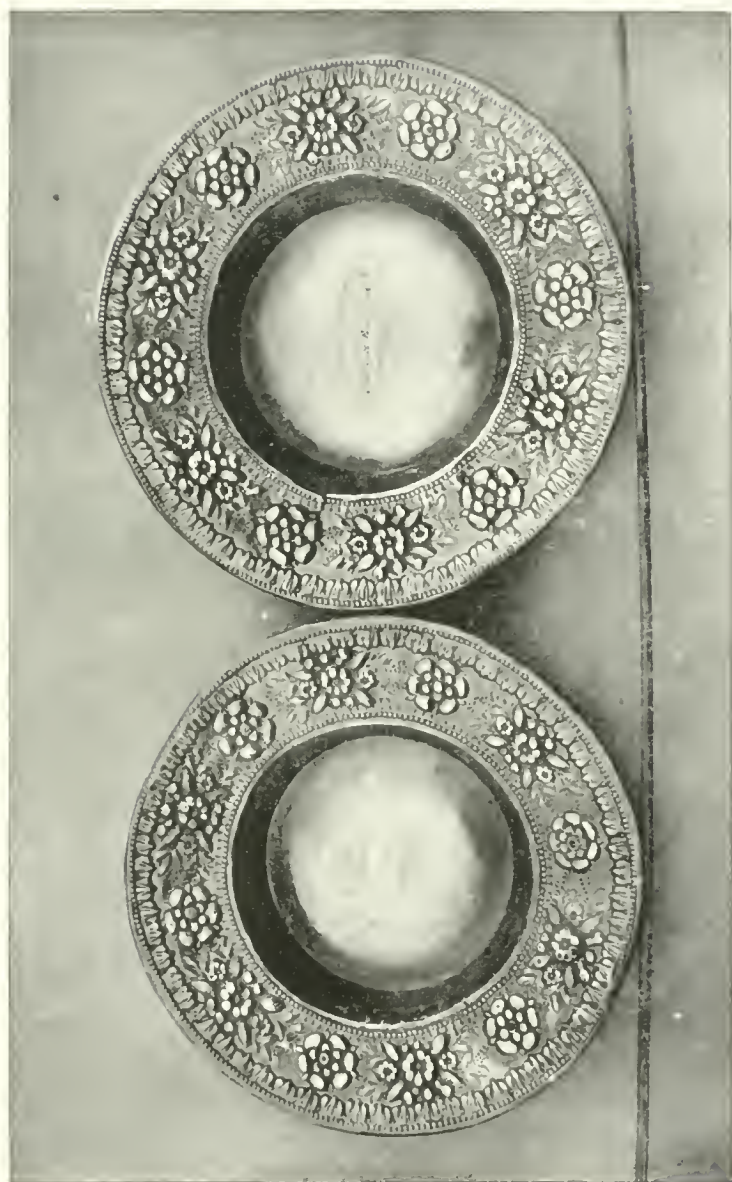
FIG. 4.



During the present century five different kinds of tokens have been used—



SOUTH LEITH CHURCH COLLECTING PLATES.
(From a photograph by A. Hunter Crawford, Esq., Edinburgh.)



SOUTH LEITH CHURCH COLLECTING PLATES.
(From a photograph by A. Hunter Cameron, Esq., *for the author*.)

1st. An oval token in 1836, having a figure of the west end elevation of the church upon it.

2nd. A set of oval-shaped tokens for three tables, having name of church and number of table on the face.

3rd. A similarly shaped token, with "This do in remembrance," etc., on the back. (Fig. 2.)

4th. Similarly shaped tokens for seven tables, with † and Bible on the back. (Fig. 3.)

5th. Similarly shaped tokens for seven tables, with consecutive numbers on the back, so as to detect the attendance of church members at communion. None other of their kind known. (Fig. 4.)

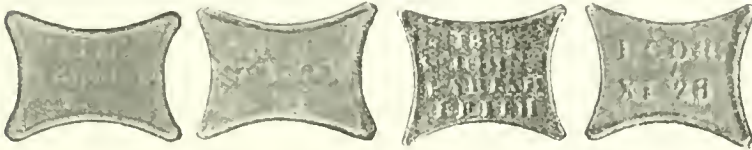


FIG. 5.

FIG. 6.

Two tokens of St. John's Parish Church, dated respectively 1776 and 1834, are shown at Figs. 5 and 6.

A token of North Leith Parish Church (St. Ninian's), dated 1731, is shown at Fig. 7.



FIG. 7.

FIG. 8.

Another (Fig. 8), dated 1816, has the figure of St. Thomas's Church upon it. On this token, as also on the last, the parish church is styled the "North Kirk."



FIG. 9.

A token (Fig. 9), dated 1843, has not only³ the figure of St. Thomas's Church on the obverse, but also the name of the minister, the Rev. Alexander Davidson.

Two tokens of the St. Andrew Street Associate Congregation, dated respectively 1791 and 1792, are shown at Figs. 10 and 11. The initials are those of the Rev. Robert Culbertson, ordained in 1791.



FIG. 10.



FIG. 11.

A token of the same congregation (Fig. 12), dated 1825, bears the initials of the Rev. John Smart.



FIG. 12.

NOTE.—The reproductions are from tokens in the possession of J. Goalen, Esq., Leith, and others.

CHAPTER XXXV

LEITH WALK—THE STAGE-COACHES

THE first road between Leith and Edinburgh of which there is any record is mentioned in the grant by Sir Robert Logan of Restalrig in 1398. The reference there to road or roads is very indefinite. Logan grants to the city of Edinburgh "my common roads, paths, and passages, through the lands of my barony of Lestalrik and town of Leith, leading to the aforesaid port," and he further grants liberty to the city to "make, use, and construct other new roads, wherever they or their successors please, through my barony of Lestalrik and town of Leith, to their aforesaid port of Leith. According to Mr. Colston, the road utilised was one by the village of Restalrig called St. Anthony's Road and the Duke's Walk; a more direct road, called Easter Road, being afterwards preferred. There is no necessity to confound the village with the barony, through which the line of the Easter Road also ran, and it is unlikely that the citizens of Edinburgh would deliberately choose a circuitous route when they could as readily have a direct one. While the Easter Road was the first, and until after the building of the North Bridge the principal, road to Leith, there was another and less direct road, about three-quarters of a mile to the westward, which ran by the villages of Broughton

and Bonnington. At what time this latter road became an access to Leith is unknown, but it certainly existed in the beginning of the sixteenth century.

Leith Walk, or Leith Loan as it was formerly called, owed its origin, according to all authorities, to the Cromwellian invasion of 1650; but a charter under the Great Seal, dated 13th August 1456, in which James II. granted, "*preposito ballivis et communitati nostri de Edinburgh,*" the valley or low ground between the well called Craigangill, on the east side (the Calton Hill), "and the common way and road towards the town of Leith, on the west side," would seem to indicate that at that time there was some kind of path in the direction of Leith Walk. In 1650, on the approach of Cromwell towards Edinburgh, General Lesley, in command of the Scottish Army, entrenched himself on the open ground between Edinburgh and Leith. The position was defended by a redoubt at the latter place and another on the Calton Hill, connected by a trench and strong earthen parapet. Cromwell did not afterwards interfere with Lesley's rampart, probably because he himself might find it useful one day, and it soon became, from its solidity and straightness, a footpath between Leith and Edinburgh.

De Foe, who visited Scotland in 1725, describes it as "a very handsome gravel walk, twenty feet broad, which is kept in good repair at the public charge, and no horses suffered to come upon it." By degrees another path was formed at the bottom of the mound, and these were known respectively as the High and the Low Walk. The houses at Springfield, near Stead's Place, are said to be on the level of the Low Walk, the high portion having been considerably reduced in course of the various improvements.

The North Bridge, which was opened in 1772, was intended ostensibly as a new and easy access to Leith, while the real object of its erection was to form an approach to the New Town; and had not the former object been put prominently in the foreground, it is probable that the bridge would not at that time have been built. Notwithstanding this new access, which was certainly a great improvement on the old Leith Wynd, the Walk itself, although it had become the principal thoroughfare between the city and the town, was allowed to remain unimproved, and as it was freely used for wheeled vehicles it very soon fell into a wretched and dangerous condition. Whether from "reliable information" received, or from the wish being father to the thought, we cannot say, but the *Weekly Magazine* in 1774 announced that "a new road for carriages is to be made betwixt Edinburgh and Leith. It is to be continued from the end of the New Bridge by the side of Clelland's Gardens (where Leith Street Terrace is now) and Leith Walk. We hear that the expense of it is to be defrayed by subscription." It was not until the beginning of the nineteenth century that this new road, the present spacious thoroughfare, was formed, at great expense, and a toll established to provide for repayment of the outlay and upholding of the roadway. The toll was abolished in 1834, but a vexatious impost, under the name of "customs," was for some time afterwards levied at the same spot on all goods proceeding from Leith to Edinburgh.

In December 1799 the *Edinburgh Herald* announced that the Magistrates had ordered forty oil lamps for Leith Walk, "which necessary improvements," adds the editor, "will, we understand, soon

take place." But these forty oil lamps would seem not to have been erected, as in the *Advertiser* for September 1802 a subscription was announced for lighting the Walk during the ensuing winter season, the lamps not to be lighted at all until a sufficient sum had been subscribed to continue them to the end of March 1803.

The Gayfield quarter was rather aristocratic in those days. In 1767 David, sixth Earl of Leven, at one time a captain in the army, occupied Gayfield House, where in that year his sister, Lady Betty, was married to John, Earl of Hopetoun; and in 1799 Lady Gordon, relict of Sir Alexander Gordon of Lesmoir, died there.

In 1783 Sir John Whiteford, Bart., of that ilk, possessed a house "at the head of Leith Walk," which he advertised for sale in that year at the yearly rent of £84. He was one of the earliest and warmest patrons of Burns. He died in Edinburgh in 1803, and his son succeeded to the title, which is now extinct. The latter's sister, Maria Whiteford, afterwards Mrs. Cranston, was reputed to be the heroine of Burns's song, "The Lass o' Ballochmyle."

A little lower down the Walk from Gayfield Square were situated the old Botanical Gardens, opened about 1766. These gardens superseded the Physic Gardens, situated in the valley of the North Loch, and the garden of Holyrood Palace, which had been formerly used as Botanical Gardens, but had been found unfit for the purpose. The Botanic Gardens, says Arnot, consisted of five acres; "the soil, in general, is light, either sandy or gravelly. In the centre of the garden a spring of water is formed into a basin. Although it is not twelve years since it was applied to botanical

purposes, it is now richly stocked." In 1822 the Gardens were removed to Inverleith.

The "Reminiscences of an Elderly Gentleman," published in the *Ladies' Journal* about fifty years ago, contains the following picture of the Walk as it appeared in his early days:—"Leith Walk was quite a country road, and such a road for holes, ruts, and big stones, that at present there is not its equal in Scotland. The Black Bull Inn terminated the city. A little farther down, the village of Picardy occupied the site of Picardy Place. It derives its name from a colony of silk weavers from Picardy, in France, having been located there. The next building was the 'Half-way House,' now incorporated with the houses of Shrub Place. The footpath on the east side of the road was eighteen feet higher than the carriage way. The journey on foot to Leith at night was an undertaking requiring no little courage. There was no well-paved footpath lined with gas lamps and thronged with passengers, but a long dreary and dark road, accompanied with the risk of falling off the footpath and breaking a limb, and at the Gallowlee having to pass two or three dead bodies hanging in chains, creaking dismally in the gusty wind."

Robert Chambers, in his *Traditions of Edinburgh*, thus describes the glories of Leith Walk in the early years of the nineteenth century:—"If my reader be an inhabitant of Edinburgh of any standing, he must have many delightful associations of Leith Walk in connection with his childhood. Of all the streets in Edinburgh or Leith, the Walk in former times was certainly the street for boys and girls. From the top to the bottom it was a scene of wonders and enjoyments peculiarly devoted to children. Besides the pano-

ramas and caravan shows, which were comparatively transient spectacles, there were several shows in Leith Walk which might be considered as regular fixtures, and part of the 'country cousin' sights of Edinburgh. Who can forget the waxworks of Mrs. Sands, widow of the late G. Sands, who occupied a 'laigh' shop opposite to the present Haddington Place, and at the door of which, besides various parrots and sundry birds of paradise, sat the wax figure of a little man in the dress of a French courtier of the 'ancient régime,' reading one eternal copy of the *Edinburgh Advertiser*? The very outside of these wonder shops was an immense treat; all along the Walk it was one delicious sense of squirrels hung out of doors, and monkeys dressed like soldiers and sailors, with holes behind where their tails came through. From one end to the other Leith Walk was garrisoned by poor creatures who, from hand-barrows, wheel-barrows, or iron legs, if peradventure they possessed such adjuncts, entreated the passengers, some by voices of song, some by speech, some by 'driddling,' as Burns called it, on fiddles, or grinding on hand-organs—indeed, a complete ambuscade against the pocket.

"It is now a plain street, composed of little shops of the usual suburban appearance, and characterised by nothing peculiar, except perhaps a certain air of pretension, which is, in some cases, abundantly ludicrous. A great number, be it observed, are mere tiled cottages, which contrive, by means of lofty fictitious fronts, plastered and painted in a showy manner, to make up a good appearance towards the street. Everything about it is still showy and unsubstantial; it is still, in some measure, the type of what it formerly was."

Leith Walk is now fully built up, with modern tenements mostly, on both sides, and the two burghs are thus connected by one of the finest, busiest, and broadest thoroughfares, a mile and a half long, in the kingdom.

Intimately connected with the subject of communication between Leith and Edinburgh are the stage-coaches which plied on the Easter Road, and afterwards in Leith Walk, for two centuries. At what date coaches were first introduced into Scotland is uncertain. It is said that the Lady Margaret brought a chariot into Scotland when she came to marry James IV.; but it is on record that, in 1598, a coach came into the country in the train of the English ambassador. It is remarkable that, twelve years after their first authentic appearance in the country, coaches were established to ply between Leith and Edinburgh. In 1610 Henric Andersen, a native of Stralsund, in Pomerania, offered to import coaches and waggons to be used on the Leith and Edinburgh route, provided he were granted the exclusive right to use carriages on this line. His application was favourably entertained, and a royal patent was granted to him and his heirs for fifteen years "to have and use coaches and waggons, ane or mae, as he shall think expedient, for transporting of his Hieness lieges betwixt the burgh of Edinburgh and toun of Leith, . . . providing that he be ready at all times for serving of his Majesty's lieges, and that he tak not aboon the sum of twa shillings Scots money for transporting of every person betwixt the said twa touns at ony time." As there were, of course, neither horses nor coachmen in Scotland accustomed to such machines, Andersen had to import, along with the coaches, "horses to draw and servants to attend them."

Nothing more is heard of Andersen and his coaches, but the venture must have been abandoned before 1660, for in that year the Edinburgh Magistrates licensed William Woodcock to run stages between the city and the port. His authority is as follows:—“Apud Edinburgh, the 28th day of Sept., 16 hundred and three score years, Grants libertie and tolerance to William Woodcock, lait officer in Leith, to fitt and set up ane haickney coach for service of His Majesties lieges betwix Leith and Edinburgh at the rates following, viz.—For the coach hyre up or down, with ane single person, 12 shillings if the person desire to go alone, and if that person who hyres the coach will wait for another to go alongs with him, to pay no more. If three persons go alongs with him to pay no more than 12 pence all the three. If any mae persons nor three each man to pay four shil. Scots for their hyre, and the persons coming up to Edinburgh to light at the foot of Leith Wynd for the staynes yr’of, and this order to continue during the Counsell’s pleasure allanerlie. Bot prejudice always to the said William Woodcock, to serve others going to and fra the country, to other places, as he and they can agree.”

It would thus appear, as Campbell says, that if William fell in with a country customer, there was no “coach” that day to Leith. “In this state of matters, we may presume that the first inquiry would be, not When does the coach start for Leith? but, Will there be a coach for Leith to-day? To this interrogation the answer would, in many cases, probably be, that the ‘coach’ was away to Dalkeith or Musselburgh, and that it could not reasonably be expected back in less than a week.”

About 1673 the Edinburgh Magistrates made

regular arrangements for a system of street carriages, which bear a wonderful resemblance to those of to-day. The carriages were to be numbered 1, 2, 3, etc., with a view to reference in case of complaint by a passenger, and their "stance" was in the High Street, between the heads of Niddry's and Blackfriars' Wynds. The fare to Leith for two or three persons in summer was to be one shilling sterling, and for four persons one shilling and four pence.

The Woodcock venture apparently seems to have been as unsuccessful as its predecessor, for in 1702 a certain Robert Miller was granted the privilege of keeping four chaises to ply between the two towns for a period of nine years.

In 1722, individual enterprise having failed to establish a remunerative business in the coaching line, a company obtained from the Magistrates an exclusive privilege, for twenty-one years, of keeping stage-coaches, to run between Leith and Edinburgh. "Each coach," says Arnot, "was to contain six passengers; and the fare for each passenger was three pence in summer, and four pence in winter. Notwithstanding the monopoly, the business does not appear to have been lucrative, for in 1727 the company presented a memorial to the Magistrates, setting forth that they were losers by the undertaking, and they were allowed to exact a fare of four pence for each passenger in summer, and five pence in winter; and the stables, horses, and provender being burned that same year, a contribution was set on foot, by authority of the Magistrates, for enabling the company to replace them."

In the year 1763 there were only two stage-coaches plying between Edinburgh and Leith. They started

every hour from eight o'clock in the morning to eight in the evening. "These, however," says Campbell, "were formidable establishments, having no less than three horses each, with a coachman and postillion. Notwithstanding this, they occupied a full hour in performing the journey. How they contrived to spend so much time in travelling so short a distance it is hardly possible to conceive, unless we presume that, during every expedition, the vehicle underwent some necessary repairs upon the road, and that, however sound they set out, something was sure to go wrong before they reached their destination. In a view of Leith, published about this period, and which embraces a portion of the Easter Road, one of these tremendous machines is represented as approaching the town with its full complement of horses and attendants. The driver is adorned with a huge cocked hat, and sits majestically in front of the coach, while the *garde-du-corps*, mounted on horseback, seems to be keeping a watchful and distrustful eye on the huge machine as it lumbers along; and we presume it would be a part of his duty to ride round the vehicle occasionally, to see that all was right. In the print alluded to, the whole procession, which, by the way, is not unlike a cavalcade going on a pilgrimage to Mecca, seems to be getting along pretty comfortably, and in a fair way of reaching its destination in safety, for which, no doubt, the travellers would consider themselves in a special manner indebted to the kindness of Providence. With regard to the coach itself, the first thing that strikes one is its enormous and unwieldy bulk, overloaded as it is with heavy ornaments, and an amazing number and variety of awkward projections and appendages, which altogether give it an appearance of immobility

and uncouthness totally inconsistent with the purposes of despatch or comfort."

Arnot, writing in 1779, states that travelling to Leith, and *vice versâ*, had assumed a very different appearance. "Without the interference of the publick magistrate, or invidious and illegal monopolies, so great is the concourse of people passing between Edinburgh and Leith, so much are stage-coaches employed, that they pass and repass between these towns daily one hundred and fifty-six times." And he adds in a note, "Each of these carriages holds four persons; the fare in some of them is two pence halfpenny, and in some three pence."

* An "Elderly Gentleman," from whose reminiscences we have already quoted, gives us a picture of the Leith stage, presumably in the last quarter of the eighteenth century. "A great lumbering affair on four wheels, the two fore painted yellow, the two hind red, having formerly belonged to different vehicles; it is standing opposite the Tron Kirk. The warning bell rings a quarter of an hour before starting; shortly a pair of ill-conditioned and ill-sized hacks make their appearance, and are yoked into it; the harness, partly of old leather straps and partly of ropes, bears evidence of many a mend. A passenger comes and takes a seat,—probably some denizen of the Kames or Luckenbooths, who has shut his shop, and affixed a notice on the door to this effect: 'Gone to Leith, and will be back at four of the clock p.m.' The 'quarter being up,' and the second bell rung, off starts the coach at a very slow pace. Having taken three-quarters of an hour to get to the Half-way House, the 'bus sticks fast in a rut, the driver whips up his nags,—when lo! away go the horses, but fast remains the stage! The ropes

having been tied, and assistance procured from the 'Half-way,' the stage is extricated, and proceeds." "Those pressed for time," he observes, "generally walked, as the stage took an hour and a half to go from the Tron Church to the Shore."

In 1827 six stage-coaches plied between Edinburgh and Leith, making sixty-two trips from each place daily. "The comfort, elegance, and complete equipment of these carriages," says Campbell, "and the expedition with which they travel, are all highly creditable to their public-spirited proprietors, and deserving of every encouragement."

A few years after this, during the railway mania, two schemes were brought forward to supersede the omnibus traffic on Leith Walk. One was an atmospheric railway; the other was a subterranean one, to be carried under the surface of the Walk. The latter was to be brilliantly lighted, a road for foot passengers was to be formed alongside, and the proprietors expected a handsome revenue from the shops and other places of business which, they calculated, would not fail to be in demand in such an attractive locality. These schemes came to nothing, although they were carried so far as to be brought before Parliament.

In 1847 the *Leith Herald* of that date informs us that some of the omnibuses on the route were in a most disgraceful condition as regards accommodation, and were so rickety that every jolt threatened to scatter the clumsy machines into fragments. "As might be expected, the animals which drag these machines can hardly be called horses; they are more like *horse-frames*, which by some internal mechanism are compelled to jerk themselves forward after a most unnatural fashion." But competition of a new kind soon put

matters to rights. In 1849 the North British Railway was extended to North Leith, and the Citadel Station opened. The result was that great improvements were made in the omnibus transit. In 1851 the number of journeys made by 'buses, constructed to carry twenty-two passengers, was two hundred and twenty-four daily. In 1870 Edinburgh and Leith were connected by the lines of the Edinburgh Street Tramway Company, laid down the Walk, and the 'bus traffic was superseded. Cars now run from Leith to all parts of the city of Edinburgh, and the procession of these vehicles up and down the Walk is almost continuous. In the present year (1897) the Edinburgh half of the Leith Walk tramways has been laid as a cable line, a mode of traction which the Edinburgh authorities are extensively introducing on their lines; but Leith has not yet begun to follow suit, although it is intended to lay the whole of the Walk with cables.

Besides the North British Railway line to the Citadel, there is now a branch of the Caledonian Railway, with a station at the western extremity of the docks, opened in 1879; the Caledonian was first extended, for goods purposes, to Leith in 1864. Further, the North British Railway Company have in contemplation the construction of a direct line to the foot of Leith Walk, with a passenger station there; and the Caledonian Company purpose extending their line to the north side of Leith Walk, and having a station somewhere about Jane Street.

CHAPTER XXXVI

RESTALRIG

RESTALRIG is now a decayed village in the parish of South Leith, of which in pre-Reformation times it was the chief part. It lies in a hollow, a quarter of a mile south-east from Lochend. The ancient name was variously given as Lestalric, Lestalrike, and Lextelrik, although the village is now known as Restalrig. The inhabitants of Edinburgh in the immediate vicinity of this hamlet seem to be scarcely aware of its existence. Yet it was once of greater importance than Leith itself, teems with historic memories, and possesses samples of architecture the complete restoration of which has been the desire of antiquarians. The parish is famous for having once contained within its bounds the beautiful Gothic fountain formerly known as St. Triduan's Well, which was for four centuries "an object of attraction alike by the virtues ascribed to its healing waters and the fine architectural features of its masonry." At first it was only a fountain welling up by the south side of a pathway that threaded the dark intricacies of the Drumsheugh Forest. The faith of a subsequent age enshrined it in a canopied cell of exquisite sculpture, which stood on a quiet cross-road wending between green hedgerows from Abbey Hill to the village church. (See vol. i. p. 300.)

Not far from the old site of the fountain lies buried St. Triduana, to whom it was originally dedicated, as may be inferred from its special virtues in the cure of diseased eyes, and even in the restoration of sight to the blind. Her tomb was the resort of numerous pilgrims, the scene of many miracles, and the cause of the great celebrity of the more ancient church that existed here at a very early period. This noble virgin is said to have come to Scotland from Achaia in company with St. Rule, and to have died at Restalrig in the year 510, the 8th of October being held as her festival day. The legend about her runs as follows:—"St. Triduana, with two companions, devoted themselves to a recluse life at Roscoby, but a Pictish chief, named Nectan, having been attracted by her beauty, she fled into Athole to escape him. As his emissaries followed her there, and she discovered that it was her eyes which had entranced him, she plucked them out, and, fixing them on a thorn, sent them to her admirer. In consequence of this practical method of satisfying a lover, St. Triduana, who came to Restalrig to live, became famous, and her shrine was for many generations the resort of pilgrims whose eyesight was defective, miraculous cures being effected by the waters of the well."

Near her tomb stood in very early times a church dedicated to the holy recluse. When it was first built, or when it became the parish church of Leith, cannot now be discovered, but the existence of a church at Lestalrie can be traced as far back as the twelfth century. Charters of that period contain the names of its vicars or rectors. In 1291 its parson was Adam St. Edmunds, who swore fealty to Edward I. in 1296. He was the brother of Alan St. Edmunds, Bishop of Caithness, and for a time Lord Chancellor of Scotland.

Having died intestate, his private possessions were seized by Edward's officers in the king's name, but afterwards delivered—a royal warrant having been issued to that effect—to the prior of Coldingham and to the parson of Lestalric. Another rector of this parish, Henry de Leith, appears as a witness at the trial of the Knights Templars conducted at Holyrood in 1309. The name of John Pettit (Little), vicar of Lestalric, occurs in the charter confirmed by James III. in 1473 to the Blackfriars of Edinburgh. The same monarch endowed a chaplainry in St. Triduan's aisle, or the Upper Chapel, of Lestalric with an annual rent of twelve merks from his land, commonly called *le Kingis Werk* (sec. vol. i. p. 57), in Leith. In 1487 Restalrig became a collegiate church. Its establishment as such, begun by James III., was augmented by James IV. and completed by James V. The last-mentioned sovereign, in his charter of 1515, enumerates the foundations, and specifies the stipends and duties of the dean, prebendaries, and two singing boys. A complete list of the deans of Restalrig, extending from 1487 to 1592, when the deanery was dissolved, will be found in the *Collegiate Churches of Midlothian*.

Its endowments were chiefly intended for the cultivation of church music. This perhaps explains why it is a much simpler structure than might be expected of a church enriched by the gifts of three pious kings in succession, and of so famous a shrine as to incur the denunciation of the first assembly of the kirk. “The ministers and commissioners foresaid find that the ministry of the word and sacraments of God, and the assembly of the people of the whole parish of Restalrig be within the kirk of Leith; and that the kirk of Restalrig, *as a monument of idolatry*, be

ntterly cast down and destroyed" (*Book of the Universal Kirk*, vol. i. p. 5). This injunction was carried into effect. To strengthen the walls of Edinburgh during its siege in the Civil War of 1571-73, a new gate was built in rear of the Netherbow Port, and "all the aisler [wrought] stones that Alexander Clerk [afterwards Provost of the city] had gathered of the kirk of Restalrig to big his house with, and also all the stones and lime gathered by Neil Laing to big his house with, were taken for the purpose" (*Diurnal of Occurrents*, p. 241). The kirk of Restalrig must therefore have been an extensive edifice, including within its precincts dwellings for the dean and prebendaries; but no plan, design, or description now remains to give us a correct idea of its size and appearance. In 1609 the legal rights of the church and parish, with all their revenues and pertinents, were transferred by Act of Parliament to St. Mary's Chapel in Leith, then legally declared to be the parish church of South Leith. Notwithstanding this suppression of Restalrig as a separate parish "from henceforth and for ever," its restoration was contemplated some forty years afterwards. "Our minister, Mr. Alexander Gibson, this 29th of April, did intimate to our Session, that the Presbytery of Edinburgh are of that mind and purpose, with the consent of Lord Balmerinoch, to cause erect the kirk of Restalrig, and to divide it from the kirk and congregation of South Leith." When, however, the church of South Leith was converted by the English garrison into a storehouse for their ammunition, the parishioners were only too glad to fall back upon Restalrig. From June 1650 to June 1657 the congregation of the church of South Leith were prevented from meeting within its walls. During

all this time Restalrig was their ordinary place of assembly. The records of its kirk session reveal a state of matters which was anything but pleasant. Meanwhile, all that remained of the old collegiate church of Restalrig consisted of the eastern window and the walls of its chancel.

On the south side of the ruins stands a mausoleum-looking hexagonal structure, covered in with a groined roof, the ribs of which, springing from a central pillar, two feet in diameter, are attached to the wall, and nearly correspond in length with the dimensions of each of the hexagonal sides. It is said to have been erected by Sir Robert Logan, High Admiral of Scotland, the founder of St. Anthony's Preceptory. It was used as the family vault of the successive possessors of the barony. Along with the estate it passed into the possession of the Balmerino family; in 1746 it became the property of the Earl of Moray, and subsequently it again changed hands, and became the property of the Earl of Bute. Scotstarvet relates that "John Lord Balmerinloch, who died in 1633, was buried in Restalrig's burial-place, being a vaulted aisle supported with pillars; and the English Army, at their coming to Scotland in 1650, expecting to have found treasures in that place, in which they heard there were lead coffins, raised up his body, and threw it on the streets" (*Staggering State of Scotland*, p. 63). There is also a slab inserted in the wall, bearing the inscription, "Lady Janet Ker, Lady Restalrig, quha departed this life 17th May 1526." Its close internal resemblance with the interior of the well already described leads to the conclusion that this was St. Triduan's Chapel, and formed part of the College Church before it was demolished. Outside the door of the crypt

is a flat stone, beneath which are interred the remains of Miss Hay, daughter of Hay of Restalrig, the forfeited secretary of Prince Charles, her request to be buried within the vault having been refused. The surrounding cemetery was the favourite burying-ground of the non-juring Scottish Episcopalians, who



RESTALRIG CHURCH (PRESENT DAY).

interred here in 1720 the body of Alexander Rose, the last legal, or more than titular, Bishop of Edinburgh. Many of the cavalry from Piershill Barracks also lie buried here. Besides ancient graves there are some of modern date, in which rest the father of Lord Brougham; Louis Cauvin, the founder of Canvin's Hospital; "Lang Sandy Wood," and his kindred, including the late

Lord Wood ; and Lientenant-Colonel Rickson, the friend and comrade of the hero of Quebec.

The old church, restored from designs by Mr. W. Burn in 1836, is now used as a chapel-of-ease to supply the spiritual needs of the neighbourhood.

Opposite the west end of the church stood the ancient mansion of the barony, which is now represented by the lower walls of a plain modern dwelling in the village. Northward is situated Restalrig House, a plain, substantial building in a well-wooded park of fifteen acres. It is doubtful whether Logan's house stood on this site or was that known as Lochend. The usual residence of the Logans of Restalrig is said to have been the little castle which overhangs the loch. On the massive remains of the original fortalice has been built a modern house. It is also supposed that here lived, in 1440, Archibald, fifth Earl of Douglas, Duke of Touraine and Marshal of France ; in the same year he died at Restalrig of a malignant fever.

Among the ancient barons of Restalrig the earliest known is Thomas of Lestalrick, who was sheriff of Edinburgh in the first decade of the thirteenth century ; and in 1369 John of Lestalrig received from David II. a charter of the mill of Anstruther, in Fifeshire. Towards the end of the fourteenth century the barony passed into the hands of the Logans, a powerful family inseparably associated with the history of Leith. The Robert Logan who was concerned in the Gowrie Conspiracy seems, about 1607, to have died a bankrupt. He sold, in 1596, his estate of Nether Gogar to Andrew Logan of Coatfield ; in 1602 his lands of Fast Castle to Archibald Douglass ; in 1604 his barony of Restalrig, and in 1605 his lands of Quarrelholes, to Sir James Elphinstone, first Lord Balmerino.

Upon the forfeiture of the Balmerino family in 1746, the lands of Restalrig passed into the possession of the Earl of Moray. In 1827 the then Earl of Moray petitioned against the Leith Police Bill of that year, as being prejudicial to his rights and interests as proprietor of the estate of Restalrig.

During the eighteenth century Restalrig was the residence of many persons of good position. Here died, in 1754, Sir James Campbell of Aberuchill, for many years Commissioner of Customs; ten years afterwards also died Lady Catherine Gordon, eldest daughter of the Earl of Aboyne. In 1771 Patrick Macdowal, fifth Earl of Dumfries, was married to Miss Peggy Crawford, daughter of Ronald Crawford, Esq. of Restalrig, upon which occasion the village was the scene of great festivities. In 1776 died, at his residence of Hawkhill, Lord Alenmore, whose town house was in Niddry's Wynd. About the end of the century Restalrig was the residence, as we find mentioned in Peter Williamson's Directory for 1784, of Alexander Lockhart, the famous Lord Covington.

In the middle of the century the village was the scene of some of the privations of the college life of Alexander Adam, the eminent Latin scholar, afterwards LL.D., and rector of the High School, and author of *Roman Antiquities*, a *Dictionary of Classical Biography*, and other works. In 1758 he lodged with a Mr. Watson, and afterwards with a gardener. The latter, says Adam, "was a Seceder, a very industrious man, who had family worship punctually morning and evening, in which I cordially joined, and alternately said prayers."

For many years Restalrig was the summer residence of Professor Hugh Blair, D.D., the eminent Scottish

divine, and author of *Sermons* and *Lectures on Rhetoric and Belles Lettres*. He died in 1800.

Midway between Restalrig and Loehend House stands the villa of Marionville, erected, according to Robert Chambers, by the Misses Ramsay, whose shop was on the east side of the old Lyon Close, on the north side of High Street. The fortune made by their shop they spent in building Marionville, locally called, in derision of their profession, Tappet Ha'. The house is surrounded by a small shrubbery and high walls. "Whether it be," says Chambers, "that the place has become dismal in consequence of the rise of a noxious fen in its neighbourhood, or that the tale connected with it acts upon the imagination, I cannot decide ; but, unquestionably, there is about the house an air of depression and melancholy such as could scarcely fail to strike the most unobservant passenger." In 1790, and for some time previous, the occupier of Marionville was James Macrae of Holmains, in Dumfriesshire, a man of good fortune and family, and who had for many years held a commission in the regiment of Irish Carabineers. The Macraes were a gay and fashionable family, "who, amongst other amusements, indulged in that of private theatricals, and in this line were so highly successful that admission to the Marionville theatre became a privilege for which the highest in the land would contend." Mr. Macrae, although of a generous and friendly disposition, was marked by a keen sense of the deference due to a gentleman, and by a heat of temper which often led him into unfortunate actions. In 1790, for some trivial cause, he quarrelled with Sir George Ramsay of Bamff, and in a consequent duel on Musselburgh Links fatally wounded him. Macrae fled to France, where

he lived in exile for thirty years, "the wreck of the handsome sprightly man he once had been."

Less than a quarter of a mile north-east from the village, and within the parish of South Leith, though not within the burgh, is situated Craigentenny House, which, by modern additions, is now a much more ornate edifice than the original plain mansion. Craigentenny was for long the patrimony of the Nisbet family, but in the latter half of the eighteenth century the estate was acquired by William Miller, a wealthy Edinburgh seedsman. The last representative of the family, the late William Miller, M.P. for Newcastle-under-Lyme, according to directions given in his will, lies buried in a grave forty feet deep in a field behind the cottage of Wheatfield, on the Portobello Road. Over the grave stands a gigantic monument, the beautiful sculptures on which, depicting the Song of Miriam, and known as the Craigentenny Marbles, are among the finest specimens of native Scottish art.

The grounds of Hawkhill, situated just within the Leith boundary, have within recent years been converted into public recreation grounds.

Restalrig, always a pretty village, became latterly noted as a place for tea-gardens and strawberry-parties, but now even that attraction has departed from it, and at the present day it is not noted for anything. A few years ago a railway station was opened in its immediate vicinity. The signs of civic life are rapidly approaching it, and the day is not far distant when the sleepy and almost forgotten village of Restalrig will become a real active part of the ever-extending burgh.

CHAPTER XXXVII

NEWHAVEN

THE period of the first settlement of a fishing population on the spot where Newhaven now stands is unknown, as is likewise the name of the village anterior to the time of James IV., who is commonly but erroneously supposed to have founded it. According to tradition, the inhabitants are said to have sprung, like those of Buckhaven, from Belgian or Flemish settlers. They have certainly kept themselves an exclusive race, intermarrying only among themselves, and are exceedingly superstitious ; but these are characteristics more or less common to all purely fishing communities.

The village was first brought into prominence by the energetic James IV., who ascended the throne of his fathers in 1488. Even at this time His Majesty found that a considerable number of fishermen's cottages, and even better houses, had been built on the seashore directly northward from Edinburgh, about a mile west from Leith, and so much industry and enterprise were apparent that the King's attention was favourably drawn to the place. In pursuance of his plan of forming a Scottish Navy, he here, owing to the water at Leith being too shallow for the purpose, proposed to erect a royal dockyard ; and some progress seems to have been made in this direction, for here, or near

here, was built, among other ships, the *Great Michael* in 1511 (see vol. i. pp. 112, 115). Hence the village obtained the name of the New Haven, to distinguish it from the Old Haven, or Blackness, the seaport of Linlithgow—an important place in those days. At Newhaven James erected a rope-walk for the making of ropes and cables, and houses for the workpeople employed there and in the dockyard. James, however, was equally solicitous for the spiritual welfare of the people, for he also, in 1506, built a chapel for their use, dedicated to the Virgin Mary and St. James, although afterwards it was known as St. James's (see vol. i. p. 112). All that now remains of this chapel is part of the west gable in the Vennel, a narrow lane between Main Street and Pier Place. According to the pious usage of the age, the village received from the chapel the official name of "The Port of our Lady of Grace," or shorter, "Our Lady's Port of Grace," which is said to have been further shortened into "Maryport." In ancient documents the name is frequently given as "Our Lady's Port of Grace, alias Newhaven"; in course of time the latter more prosaic but more useful name only was retained.

The city of Edinburgh viewed with alarm and jealousy the rapidly-growing importance of Newhaven, fearing that it might prejudicially affect their port of Leith. They therefore purchased the whole place from James in 1510. The charter (see vol. i. *Appx.* 28) describes Newhaven as "our new port called Newhaven, lately made and built by us on the sea-shore, between the chapel of St. Nicholas on the north side of the town of Leith and the lands of Wardy." From the charter we learn that the village consisted at that period of at least one street, called the South Row,

besides the pier and harbour. While Edinburgh thus acquired complete power over Newhaven, it was at the same time bound to "uphold the bulwarks and defences necessary for receiving and protecting the ships and vessels sailing thereto for the good and benefit of us, our kingdom, and lieges." The city, in implement of this obligation, at various periods spent considerable sums of money on the repair of the harbour. In 1550, £500 were voted to supply timber to repair the harbour, and in 1557 a further sum of £500 was voted for the same purpose. Nevertheless, so effectually did the deadweight of Edinburgh press the life out of Newhaven, that it soon lost the importance which it had gained under James IV., and sank again to its former condition of a fishing village.

Newhaven was the port from which, in September 1550, the Queen Regent, accompanied by a brilliant suite, sailed to visit her daughter Mary in France.

In 1555 we have the following entries in the burgh accounts relative to the hanging of four Englishmen; there is no hint as to their crime:—

- "Item, the vj day of July 1555, for cords to bind and hang the four Inglisemen at Leyth and Newhaven . . . iijs.
- "Item, geven to Gorge Tod, Adam Purves, and ane servand, to mak ane gibbet at Newhaven in haist and evil wedder vjs.
- "Item, for garroun and plansheour naillisxxd.
- "Item, for drink to them at Newhavenvjd.
- "Item, for twa workmen to beir the wrychtis lomis to the Newhavin and up again, and to bier the work and set up the gibbetxxd.

On 12th May 1567 the Magistrates of Edinburgh agreed to "set in tack" to three Englishmen—Anthony Hickman, John Achille, and Cornelius du Vois—ground

at Newhaven for the purpose of making salt. On 18th June three tacks, for nineteen, nineteen, and twelve years respectively, were granted.

Up to this time there were, apparently, both east and west of the village, extensive grassy links, but the encroachments of the sea have, in the course of time, swept these away, all but the small space called the Free Fishermen's Park, which lies at the foot of the Whale Brae. Stormy weather and the action of the tides had, towards the end of the sixteenth century, made sad havoc on the coast line between Leith and Newhaven. In 1573 Edinburgh received thirty merks for the use of Newhaven Links as grazing ground; twenty years later the city only received one-fifth of that sum. Maitland suggests that this fall in price was owing to the encroachments of the sea on the land. On this point Campbell propounds an ingenious theory. "As the ravages of the sea seem to have been equally serious above Newhaven, we conceive that a tract of ground in that quarter also has disappeared. If this be the case, the village must either have stood far up on the Links, at a distance from the sea, which is improbable and unusual, for obvious reasons, in the cases of fishing villages; or, which we think much more likely, it must once have stood at the head of a small bay or indentation of the sea, which would necessarily be formed by the projection of the land on either side. This conjecture is strengthened by the name which it formerly bore, 'Our Lady's Port of Grace'; nor is it weakened by that which it now bears, and has borne for the last three hundred years. Neither the words port nor haven could, we conceive, apply to any particular spot on an open coast where there was neither any artificial or natural protection against the

violence of the wind and sea. Admitting it to have been a small bay, both become strictly applicable."

By the Golden Charter (1603) of James VI., Newhaven, along with Leith, was united to the burgh of Edinburgh, Newhaven then being in the parish of St. Cuthberts. In 1631 the haven was disjoined from St. Cuthberts and annexed to the parish of North Leith, from which it was disjoined *quoad sacra* in 1838. The chapel of St. James, which with its grounds was conveyed in 1614, along with the preceptory of St. Anthony at Leith (of which it was a dependency), to the kirk session of South Leith, also now forms a part of North Leith parish. In 1838, by the City Agreement Act, Newhaven was joined to the town of Leith, and the harbour transferred to the Leith Dock Commissioners. "By way of denoting the jurisdiction of the city of Edinburgh," says Mr. Colston, "in virtue of the charter of James IV., it was for many generations a time-honoured custom of the Magistrates and Town Council of Edinburgh yearly to drive to Newhaven, and drink wine in the open space called Parliament Square. Under the Reformed Town Council, however, this practice was abandoned."

The fishermen of Newhaven have had, from time immemorial up to the present day, a wholesome antipathy to dues and taxes of all kinds. In 1630 we find the first quarrel from this cause, over Teind Fish. In that year, and the succeeding, James Drummond, tacksman to the Lord Holyroodhouse of the Teind Fishes of Newhaven, pursued "spulzie" against the fishers. The year 1630 being the first year of the tack, the fishermen alleged that they had been in use to pay a particular duty, which was specified, "of all years preceding this year now acclaimed." The Court of

Session decided that there was no necessity to grant an inhibition, and the Lords reserved to themselves the modification of the duty to be paid.

It is not generally known that Newhaven once gave a title in the peerage of Scotland. In 1681 Charles II. raised to the Scottish peerage, Charles Cheyne, of Cogenho, in Middlesex, with the titles of "Lord Cheyne and Viscount Newhaven, near Leith, in the County of Midlothian." The title became extinct in 1728.

The manufacture of ropes and cables seems to have been intermittently engaged in at Newhaven, up to the end of the seventeenth century. In a Latin MS. description of Midlothian, preserved in the Advocates' Library, it is mentioned that ropes and cables were manufactured there a short time before 1640, about which date the description was written. Again, about 1688, James Deans, Bailie of the Canongate, established a rope-walk there, but it failed for want of encouragement. In 1694, however, one of his sons, Thomas Deans, "expressed himself as disposed to venture another stock in the same work, at the same place, or some other equally convenient, provided he should have it endowed with the privileges of a manufactory, though not to the exclusion of others disposed to try the same business. His wishes were complied with by the Privy Council." It is not stated whether this venture was successful. It is said that remains of the ropery established by James IV. existed up to about the middle of the eighteenth century.

About the beginning of that century the land around Newhaven, or most of it, appears to have belonged to "Evan Macgregor, of Newhaven," who in 1710 entailed all his lands there, the date of tailzie being August 1707.

Oysters at one time were very plentiful in the Firth of Forth, and in the later years of the eighteenth century oyster-dredging was much engaged in. At that time oysters were sold at the rate of sixpence the "long hundred" (120). About this time, also, a deadly feud existed between the Newhaven and Prestonpans (or "Pans") men, the bone of contention being the right to certain oyster-beds, which the former claimed as the tacksmen of the city of Edinburgh. Many conflicts resulted from this misunderstanding, as will appear from the following, from the *Gentleman's Magazine* :—

"On Wednesday, March 19 [1788], a sharp contest took place at the back of the Black Rocks, near Leith harbour, between a boat's crew belonging to Newhaven and another belonging to Prestonpans, occasioned by the latter dredging oysters on the ground alleged to belong to the former. After a severe conflict of about half an hour, with their oars, boat-hooks, etc., the Newhaven men brought in the Prestonpans boat to Newhaven, after much hurt being received on both sides. This is the second Prestonpans boat taken from them in the same manner by the Newhaven men. Some time ago five fishermen from Prestonpans were imprisoned for dredging oysters near Newhaven, contrary to an interdict of the judge-admiral. In order that the public, particularly the lovers of good oysters, may know the reason of granting this interdict, the following state of facts is admitted : For more than a year past a cause has been pending in the Court of Admiralty, between sundry fishermen in Newhaven, as tacksmen of the town of Edinburgh, and Lady Greenwich, on the one part, and certain fishermen in Prestonpans, etc., on the other. The point in dispute is certain oyster-scalps, to which each party claims an exclusive right. Accusations of encroach-

ment were mutually given and retorted. At dredging, when the parties met, much altercation and abusive language took place, bloody encounters ensued, and boats were captured on both sides. A scarcity of fish at first gave rise to these disputes, but it would appear that the combatants afterwards fought not so much for oysters as for victory. The Newhaven fishers contend that the community of Edinburgh, whose tacksmen they are, have the sole right to the Green Scalp on the breast of Inchkeith, and to the Beacon Grounds lying off the Black Rocks. To instruct this right, they produce a notarial copy of a charter from King James VI., and likewise a charter from Charles I. in 1636, wherein fishings are expressly mentioned. There was also produced a charter in favour of Lady Greenwich, in which fishings were comprehended. On the other hand, the Prestonpans fishers contended that the Newhaven men have encroached on the north shores belonging to the Earl of Morton and burgh of Burntisland, of which they are tacksmen. They accordingly produced an instrument of seisin, dated November 10, 1786, in virtue of which his Lordship was infeft, *inter alia*, in the oyster-scalps in question. They also condescended on a charter granted by King James VI. in 1585 to the town of Burntisland, which is on record, and which they say establishes their right. They further contend that the Magistrates of Edinburgh have produced no proper titles to prove their exclusive right to the scalps they have set in tack to the Newhaven fishermen. The charter of King James VI. was resigned by the town in the reign of Charles I., and the new charter granted by the latter in 1636 gives no right to the oyster-scalps in dispute. After various representations to the judge-admiral, his Lord-

ship pronounced an interlocutor, ordaining both parties to produce their respective rights to these fishings, and prohibiting them from dredging oysters in any of the scalps in dispute till the issue of the cause. A petition was presented to his Lordship on the 6th January last [1790] by the Newhaven fishers, stating that, by the late interdict, they find themselves deprived of the means of supporting themselves and families, while the Prestonpans fishers are pursuing their usual employment by dredging on other scalps than those in dispute; and praying his Lordship would recall or modify said interdict. Which petition being served on the agent for the east-country fishers, his Lordship, by interlocutor of the 5th February last, allowed both parties to dredge oysters upon the scalps they respectively pretended right to; and, before going to fish, to take with them any of the six sworn pilots at Leith to direct each party where they should fish, to prevent them from encroaching on each other's scalps, or taking up the seedlings." This cause was finally decided by the judge-admiral against the Prestonpans fishermen; but no damages were awarded, and each party had to pay their own expenses.

The supply of oysters is now exceedingly limited; indeed for some years oyster-dredging has ceased as a regular occupation. Over-dredging, and the neglect of the oyster-beds by the city, have been given as the reason for this; but at the present time (1897) the city of Edinburgh is seriously considering the question of re-stocking its oyster-beds. In the near future, therefore, we may hope to again hear the old familiar cry of "Caller ou!" which for these many years has been dead. This "melodious and beautiful cry" is a favourite with musical amateurs, and was attractive to strangers who visited the city.

In 1793 the herring fishing began in the Firth of Forth. Previous to that time, when the herrings deserted the mouth of the Firth, it was supposed they had gone to other waters, and no one thought of seeking for them farther up the estuary. The discovery was made accidentally by Thomas Brown, while fishing for haddocks and "podlies" near Donibristle, on the Fifeshire coast. He found the herrings in such numbers that he took them up in buckets. The Queensferry men, who had been told in vain, twenty years before, that when the mainsail of a vessel fell overboard in Inverkeithing Bay it had been hauled in full of herrings, now began to prosecute the fishing with astonishing results. Their success excited general attention, and the fishing has been followed successfully by all the fishermen on the East Coast. The Forth herring fishing is said to have inspired the well-known song of Lady Nairne, "Caller Herrin'."

During the war with France the patriotism of the Newhaven fishermen was displayed on several occasions. In 1796 they offered their services to guard their coasts against the enemy. The offer states that they were ready to fight "on board of any gunboat or vessel of war that Government might appoint," between the Red Head of Angus and St. Abb's Head, "and to go farther if necessity urges." So much was this offer appreciated that in May 1797 the Duke of Buccleuch, accompanied by a number of gentlemen, went to Newhaven, where he presented the Free Fishermen's Society with a handsome silver medal and chain, which had been voted to them by the county. The medal bears the inscription, "In testimony of the brave and patriotic offer of the fishermen of Newhaven to defend the coasts against the

enemy, this honorary mark of approbation was voted by the county of Midlothian, November 2, 1796." This medal is still worn by the box-master of the society at its annual processions through Leith, Newhaven, and Trinity. The Lord Provost and Magistrates of Edinburgh, also, in January 1797 presented the fishermen with a handsome stand of colours in testimony of their loyalty, after a suitable prayer by Dr. Johnston, of North Leith.

Later, the fishermen voluntarily enrolled themselves as Sea Fencibles to oppose the threatened invasion of the French during the years 1803-6. Three French frigates having committed depredations on our shipping in the Greenland seas, two hundred fishermen, in 1806, volunteered to man the *Texel*, sixty-four guns, and cruised for a month off the coasts of Iceland and Norway. For this service the fishermen were presented by the city of Edinburgh with the sum of £250, and George III. sent them an autograph letter expressing his satisfaction at their loyalty. Unfortunately, this letter has been lost. Next year, with the *Texel*, they captured the French frigate *Neyden*, and took her as a prize to Yarmouth, after which they returned to Newhaven in triumph.

The Free Fishermen's Society was instituted, it is said, by a charter of James VI. or Charles I. The body is very exclusive, no one being admitted to membership unless he be a lawful descendant of a previous member and also a fisherman. This was not always the rule, for previous to 1817 anyone could become a member upon paying the necessary dues. The membership of the society became so great, however, that in that year the exclusive rule was

adopted. The society is governed by a preses, box-master, secretary, and committee of fifteen, all of whom, except the secretary, change office every year. The object of the society is to support members during sickness, infirmity, and old age, to afford funeral allowances, and allowances to widows of deceased members. In former times, before the poor of Newhaven were handed over to the parish, they were also relieved by the society. Besides these beneficent objects, the society is the guardian of the rights and privileges of the fishermen. It is contended that, although the city of Edinburgh is the superior of the oyster and mussel fishings, the members of the society are the perpetual lessees, and no others have a right to fish in the adjacent waters. The society once possessed a burial-ground where St. James's Chapel stood. The ground was small, and by the year 1848 it had become so crowded that it was closed. Although neglected for some time, it was ultimately put in decent order, and an iron railing on the frontage in Main Street erected.

In August 1836 an Act was obtained for making the Edinburgh, Leith, and Newhaven Railway. It was to commence at the east end of Princes Street Gardens, near the weigh-house, and proceed by a tunnel, under St. Andrew Street, etc., to the foot of Scotland Street, and thence to Trinity, near Newhaven, in a straight line. The carriages were to be propelled by locomotive engines. The railway was opened in 1848, and it was in use for twenty years; in 1868 the Scotland Street tunnel was abandoned, the new line by Leith Walk being then opened.

As has been noticed, there has been a pier at Newhaven as far back at least as 1510, although it has

at various times been rebuilt or renewed. Before the advent of steam, and for some time after, Newhaven was the southern landing-place of the Kinghorn and Burntisland ferries. At first the pier was only a slip, to accommodate the ferry pinnaces at various stages of the tide, but on the introduction of steamboats the high bulwark on the eastern side of the pier was built. The steamboats continued on the Newhaven ferry until about 1840, when they were transferred to Granton. On the removal of the steamboats, the Ferry Trustees, having no further use for the pier, wished to sell the stones, but the fishermen, aided by the Leith Dock Commissioners, were able to avert what to them would have been a calamity. At this time there was only one pier, which afforded but indifferent shelter to the boats, and none in northerly or westerly winds; the fishermen had therefore either to risk serious loss, or take their boats to safer moorings at Leith or Queensferry. After many fruitless efforts to procure assistance in the erection of a western breakwater, in 1864 the fishermen took matters into their own hands, and carried stones in their boats from Queensferry and put them down to form a breakwater. But in two years funds and subscriptions failed, after the breakwater had been raised to high-water mark. Several years' delay followed, until in 1876 the work was taken seriously in hand by the Leith Dock Commission, and the present substantial western pier was completed in 1878. In August 1879, the Dock Commissioners having determined to exact the dues exigible at the improved harbour, which had been refused by the fishermen on the plea that the harbour works were not finished, sent a tug to Newhaven to attach the fishing boats should the dues not be paid.

On attempting to seize a boat, a *mêlée* ensued, but ultimately the tug triumphed, and proceeded to tow the boat to Leith. The owner of the boat ultimately paid his dues and expenses of the proceedings, amounting to £4. The other fishermen thereupon paid their dues. In 1889 an agitation for the erection of a fishmarket at Newhaven was commenced, and ultimately the Dock Commissioners reclaimed a part of the shore on the east side of the east pier, upon which a spacious covered fishmarket was built. It was opened in 1896.

The reconstruction of the Newhaven fishing fleet was largely due to the Rev. Dr. Fairbairn, of Newhaven, an account of which will be found in the biographical notice of the worthy old pastor. From open cobbles to substantial decked boats was a great advance, and the men



NEWHAVEN FISHERMEN (PRESENT DAY).

have thus been enabled to pursue the deep-sea fishing with great success. The Newhaven fishermen are, on the whole, a hardy and self-reliant race, as prosperous as any fishing community can be.

An account of Newhaven would not be complete without mention of its fish dinners and fishwives. Newhaven has from time immemorial been famous for its fish dinners, "served up in more than one old-

fashioned inn, the best known of which was (and is), perhaps, near the foot of the slope called the Whale Brae"; that is the "Peacock."

The Newhaven fishwife, says Mr. Colston, "must be able to don the creel and attend markets, or make her usual rounds of calling for the purpose of disposing of the fish her husband has caught. The fishwife is the bargain-maker, and the conjoint breadwinner."



NEWHAVEN FISHWIVES (PRESENT DAY).

Her "dress is quite unique. Compared with the women of other fisher communities, she is the yellow butterfly of her species." In *Chambers's Journal* the dress is thus described: "A cap of linen or cotton, surmounted by a stout napkin tied below the chin, comprises the investiture of the hood; the showy structure wherewith other females are adorned being inadmissible from the broad belt which supports the

creel, that is, the fishbasket, crossing the forehead. A sort of woollen pea-jacket (usually of dark blue colour), with vast amplitude of skirt, conceals the upper part of the person, relieved at the throat by a liberal display of handkerchief. The under part of the figure is invested with a voluminous quantity of petticoat, of substantial material and gaudy colour, generally yellow, with stripes, so made as to admit of a very

free inspection of the ankle, and worn in such numbers that the bare mention of them would be enough to make a fine lady faint. One half of these ample garments is gathered over the haunches, puffing out the figure in an unusual and uncouth manner. White worsted stockings and stout shoes complete the picture. Imagine these investments endued upon a masculine but handsome form, notwithstanding the slight stoop forward, which is almost uniformly contracted—faucy the firm and elastic step, the toes slightly inclined inwards—and the ruddy complexion resulting from hard exercise, and you have the beau-ideal of fish-wives."

The Newhaven fisher folk, as a rule, only marry amongst themselves, but this is mainly owing to necessity. A woman unacquainted with the peculiar habits and superstitions of the community, and with the mending of nets as well as the preparation and baiting of lines, would be utterly useless as a fisherman's wife; and, as already observed, she must be able to dispose of her husband's "catch." Hence, when it is perchance reported that one of the sisterhood who is not possessed of the necessary qualifications is about to be married, the remark is apt to be made—"She tak' a man!—what wad she dae wi' a man? She canna keep him." (It may be noted here that Newhaven is one of the comparatively few places where the Scottish vernacular is yet faithfully preserved in all its purity and picturesqueness.)

These continued intermarriages lead to the multiplication of identical names, and but for a happy expedient this would result in much confusion. When an additional name, by way of distinction, becomes necessary, the men add that of their wives to their

own. Thus we have Thomas Wilson (Linton), Robert Wilson (Ramsay), Robert Lyle (Wilson), Thomas Carnie (Combe), and Thomas Carnie (Finlay).

Fishermen's marriages have their own quaint peculiarities, and these festivals are often conducted with an extravagance the very opposite of their usual way of life. In a local ballad such weddings are commemorated as follows:—

“Weel! Friday cam’, the growin’ moon
Shone beautifully clear,
An’ a’ the boats wi’ flags were drest,
Frae Annfield to the pier;
An’ Doctor Johnstone, worthy man,
Had twa three hours to spare,
Sae he toddl’d to Newhaven,
An’ *spliced* the happy pair.

Wi’ raisin-kail, et cetera,
Began the weddin’ feast,
An’ there was roast, an’ fried, an’ bak’d,
Before the party plac’d;
An’ boil’d, an’ stew’d, and fricaseed,
Frae goblet, pot, an’ pan,
But when the viands disappeared
The *real* fray began!”

But, after all, why grudge the fisher folk at least one happy extravagance in their lives? The fisherman’s calling, at best, is a hard and dangerous one. To quote the beautiful lines of Lady Nairne:—

“When ye were sleepin’ on your pillows,
Dreamed ye aught o’ our puir fellows,
Darkling as they faced the billows,
Wha’ll buy my caller herrin’?
Oh, ye may ca’ them vulgar farin’;
Wives and mithers, maist despairin’,
Ca’ them lives o’ men!”

BIOGRAPHICAL NOTICES

BIOGRAPHICAL NOTICES

MEMBERS OF PARLIAMENT FOR THE LEITH DISTRICT OF BURGHS.

SIR JOHN ARCHIBALD MURRAY.



WHEN the Leith District of Burghs was recognised for the first time by the Reform Bill in 1832 as worthy to have a representative in Parliament, the constituency looked to the neighbouring city of Edinburgh for a member. Their choice fell on John Archibald Murray, a distinguished advocate at the Scottish bar. He was the second son of Alexander

Murray, of Henderland; his mother was Katherine, daughter of Sir Alexander Lindsay, Bart., of Evelick, Perthshire, and niece of the first Earl of Mansfield. His father was a Lord of Session and Justiciary, and sat on the bench as Lord Henderland. John Archibald Murray, being the son of a judge, received a first-class education, which he completed at Edinburgh University. He was called to the Scottish bar in the beginning of the year 1800.

That year may well be remembered in the history of the Faculty of Advocates, for during it four of the most distinguished of its members entered its ranks: John Archibald Murray, Henry Peter Brougham, Francis Horner, and Henry Cockburn. Edinburgh was then, perhaps, about the height of her glory. Harry Erskine with his pithy puns, John Clerk with his prurient jokes, George Cranstoun with his clear, classical statement of facts and polished legal arguments, and the Solicitor-General Blair with his profound learning and legal lore, might be heard any day in the Parliament House; while Francis Jeffrey, a young Whig advocate of a few years' standing and not much practice, might be occasionally heard but oftener seen flitting about without work. There also was Walter Scott, Sheriff of Selkirkshire, who told more Scotch stories on the floor of the House than he earned fees for his practice. Such eager, lively spirits, full of the consciousness of power, could not wander day after day idling their existence away in gossip on the Parliament House boards, but had to find some outlet for their intellectual activity. Sydney Smith, the English wit, suggested starting the *Edinburgh Review* in 1802. Jeffrey and Brougham and Horner entered actively into the project, while John Arch. Murray signified by his presence at the beginning of the business his approval of the venture. Henry Cockburn, having ardent Tory connections, was precluded from promoting this Whig enterprise, but he helped the *Review* considerably by his pen in after days. Though Lord Cockburn had not so great a career as Brougham, he was the truest genius of the four young advocates who launched on life together in 1800. John Archibald Murray had a touch of laziness about him, like

Cockburn. Though encouraging the *Edinburgh Review*, he did not seek distinction in its pages, nor cultivate science or literature save as pastimes. He relished the company and friendship of the gallant band, and enjoyed learned leisure *cum otium et dignitate*. With his three brethren he remained in steadfast friendship to the end of their respective days.

Of Murray's career at the bar there is not much to record. Being the son of a judge, his way was so far paved for him. It was a steady, continuous, easy success. He had no need to lead a laborious life. He got work, and could work well, but he could afford to select his work. He was not a great case lawyer, and did not much trouble himself searching after precedents, trusting more in his pleadings to the plain, practical sense of the matter, in the virtues of which he had great faith. He married in 1826 Mary, eldest daughter of the late William Rigby, Esq. of Oldfield Hall, Cheshire. When his friend, the Right Honourable Francis Jeffrey, was raised to the bench as Lord Jeffrey in 1834, he succeeded him in the office of Lord Advocate. Previous to that he had been elected M.P. for the Leith District of Burghs, on the passing of the Reform Bill of 1832. His opponent was William Aitchison, of Drummore, who stood in the Conservative interest. The Leith Burghs were, however, true to the Liberal party, and returned Mr. Murray. He sat as member for the burghs from 1832 to 1838, during which time he was very popular with his constituents, as he was with every person with whom he came in contact.

He introduced a number of Bills into the House of Commons, including measures for the reform of the Universities, for giving popular magistrates to small towns, for enabling Sheriffs to hold small-debt courts, for the reform of the Court of Session, and for amending the bankruptcy law, but only succeeded in carrying a few minor reforms.

He received the honour of knighthood, and was raised to the bench in 1839, under the title of Lord Murray. He sat on the bench for twenty years, and died at the age of eighty on 7th March 1859. As a man he was held in the highest esteem for his many virtues. He was the acknowledged head

of Edinburgh society, and his hospitality was bounteously bestowed upon every illustrious visitor to Edinburgh, whether distinguished for science, literature, or politics. As an orator he held a good position. His style was happy, though rather diffuse. He had considerable intellectual ability, wide and varied knowledge, ready wit, and a fluent utterance, but he wanted the fire of earnestness, enthusiasm, and excitement to make him an orator.

As a judge, he was distinguished for sound, practical wisdom, an earnest endeavour to seek after truth, and a clear firm grasp of the question at issue, and the proper principle applicable to its solution. In fine, as a man he was universally beloved by all who came in contact with him; as a representative in Parliament he was very popular; while as a judge he was faithful, earnest, and conscientious in the discharge of his duties; and few men were more missed, or their loss more greatly deplored, than Lord Murray, the first M.P. for the Leith Burghs.

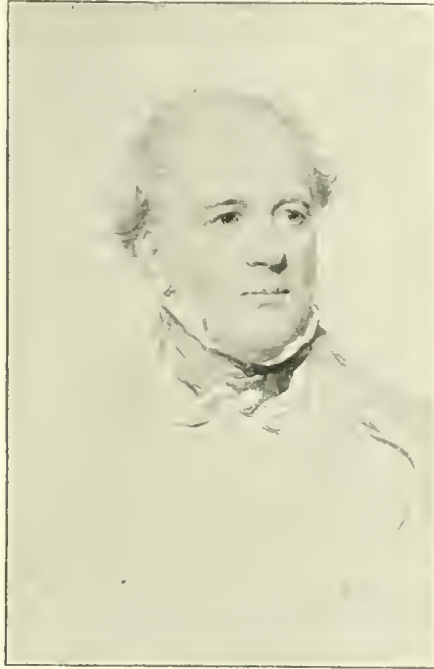
LORD RUTHERFURD.

ANDREW RUTHERFURD was born in 1791, and was educated at the Old High School, Edinburgh. He passed at the bar in 1812, and soon acquired a large junior practice. In 1837, when John Archibald Murray, M.P. for Leith, was Lord Advocate, Mr. Rutherford was appointed Solicitor-General in succession to John Cunningham, who was then raised to the bench. By this time Mr. Rutherford had made a great reputation at the bar. He made his first political speech in October 1831, in support of the great Reform Bill. In 1839, when Lord Advocate Murray was raised to the bench in room of Lord Corehouse, Mr. Rutherford became Lord Advocate, and succeeded Mr. Murray as M.P. for the Leith Burghs, being elected without opposition.

Rutherford was really liberal in his views, and what might

be termed broad for the time in carrying these out. During his first tenure of office as Lord Advocate, he was instrumental in allowing the Bible to be printed by any printer with the sanction of the Bible Board, to secure accuracy of the text. He also carried, in the face of much opposition, the Act abolishing relationship as a disqualification for being a witness.

The general election came in 1841, and amid the cry of the



agricultural class against the repeal of the Corn Laws on the one hand, and that of the people for cheap bread on the other, combined with the clamour of the manufacturers for Free Trade, the Tories with the limited franchise then carried the election and returned to power. Sir William Rae became Lord Advocate, and Duncan M'Neill, Solicitor-General. Leith, however, stood fast by Rutherford. In 1844 he made an excellent speech in favour of a Bill for the abolition of

Religious Tests from our Universities, but the motion for leave to introduce the Bill was defeated by 128 to 101. In 1845 he made a motion for leave to bring in a similar Bill, and made so admirable a speech that it is stated "it had the rare effect of changing the previously-announced resolution of Government to refuse the leave." The Bill was, however, thrown out on the second reading by a majority of 116 against 108. On 15th November 1844, Mr. Rutherford was elected Lord Rector of Glasgow University, and was installed on 10th January 1845. Notwithstanding the accession of the Tories to power, the agitation for the repeal of the Corn Laws continued. There was a great public meeting in the Music Hall, Edinburgh, to promote the abolition. The Lord Provost (Adam Black) was in the chair, and Macaulay and Rutherford the chief speakers. Rutherford, though not in office, was a real power wherever he went. During the Tory régime no less than five statutes, reforming the feudal restrictions as to transferring and burdening land, were passed. All of these were due to Rutherford, though two earlier very useful Acts on the same lines were passed by the Tory Lord Advocate, Duncan M'Neill. In 1847 a general election took place, with the result that the tables were turned, the Tories ejected, and the Liberals returned to power. Leith again stood true to its colours, and returned Rutherford.

Rutherford at this time was in the zenith of his power and popularity. A portrait of him, painted by Mr. (afterwards Sir) John Watson Gordon, and admitted to be one of the finest portraits in Scotland, was presented to the Town Council of Leith, to be hung on the walls of the Council Chamber, which it still adorns. Among his first great works after resuming office, Rutherford set himself to the reform of entail law, and framed and passed the Act (11 and 12 Viet., c. 36) for regulating and conditionally abolishing entails, still known as the Rutherford Act.

In 1851, Lord Moncreiff died, and Rutherford was elevated to the bench, with the style of Lord Rutherford. He was made a Privy Councillor, presumably in view of his being made Lord Justice-General on an expected vacancy; but when

in 1852 the Tories were returned to power, and Lord President Boyle resigned, they appointed Duncan McNeill, who had gone to the bench as Lord Colonsay, Lord President. Following closely on this disappointment there came upon him a much greater calamity in the death of his wife. From this time his constitution gradually gave way, and he did not seem to have rallying power in him afterwards. He continued, however, to discharge his official duties down to within a few weeks of his death, which took place on 16th December 1854. In his death Leith certainly lost the ablest and most intellectual member she has ever had,—Scotland one of, if not the greatest of Lord Advocates she has ever sent to the House of Commons—one of the soundest and best lawyers that ever sat on the Scottish bench,—and Edinburgh one of the purest and noblest intellectual men that ever resided within her gates.

“For many years,” says Dean Boyle, “Rutherford occupied an almost unique position as Lord Advocate and Member of Parliament. He was an admirable speaker, and although his manner was somewhat affected, he was able to cast a spell over his hearers so that every fault was forgotten in his earnest advocacy. . . . When in 1841 my father became Lord Justice-General, a distinction which would have been Rutherford’s had President Hope retired during the life of Lord Melbourne’s ministry, Rutherford, to the delight of all my father’s friends, proposed a resolution at the meeting of the bar in touching and eloquent terms. Indeed, the friendly relations between him and my father were a proof that in the elder man political partisanship had been forgotten, and that Rutherford was absolutely incapable of entertaining any other feeling than warm affection. In private life he was delightful. He told stories admirably, and without any ostentation gave you the results of reading and his really wonderful scholarship. When Macaulay’s *History* appeared he overflowed with admiration. . . .

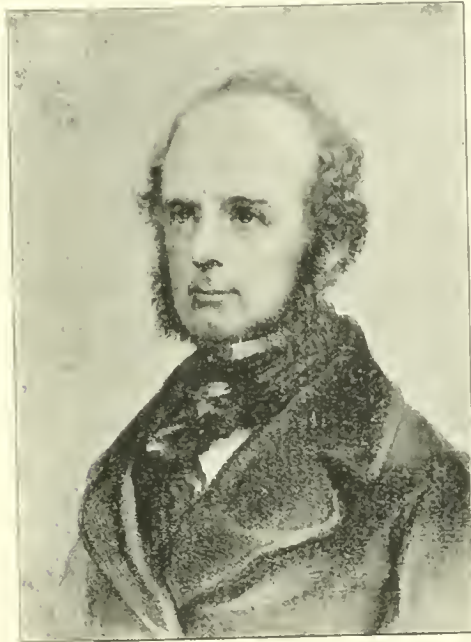
“Lord Rutherford was an admirable Italian scholar. I have heard Sir James Lacaita declare that he and Mr. Gladstone were the only two Englishmen he had ever known who could conquer the difficulty of obsolete Italian dialects, and the late Lord Arthur Russell, many years after Lord Rutherford’s

death, gave me in letters, which I still possess, much curious information as to some out-of-the-way Italian books Rutherford was fond of reading and quoting. Twice in his life the great prize of his profession seemed almost within his grasp. But it was not to be. With great dignity he submitted to his fate, showing no temper or disappointment. When my father retired in 1852, he received a most kindly and affectionate letter from the man who, a year before, would certainly have succeeded him, instead of the judge who was afterwards known as Lord Colonsay. In the Dean Cemetery, at Edinburgh, there is a classical memorial of this distinguished man. He had no children, but a nephew, Lord Rutherford Clark, still lives to remind many of one of the most illustrious of Edinburgh Whigs. Lord Robertson, the friend of Lockhart, a real wit and most delightful companion, once admitted to me, in the course of a journey, that there were very few men he had ever known so completely armed *cap-à-pie* as Rutherford." Mr. Rutherford, Sheriff of the Lothians and Peebles, is also a nephew of the eminent judge.

LORD MONCREIFF.

JAMES MONCREIFF, born at Edinburgh on 29th November 1811, was the second son of the late Sir James Wellwood Moncreiff, ninth baronet of Tulliehole, Kinross-shire, his mother being Ann Robertson, a daughter of Captain George Robertson, R.N. His father was a judge in the Court of Session, and was known as Lord Moncreiff. James Moncreiff was educated at the High School of Edinburgh, passing from there to the University of the same city. He was called to the bar in 1833. As a young man he was a gentleman and a scholar, with a good presenee, an excellent voice, a fluent speaker with an abundant vocabulary, and a rare faculty of appropriate diction, but he lacked the steady, unwavering application which not only masters the principles of the law, but, which for

success in a junior is equally if not more necessary, the details of case law, the forms of process and rules of procedure, and generally those minute details which go to make a successful junior. He was not idle, however. He wrote a pamphlet regarding Dr. Chalmers' action about the Moderatorship of the Church, and took a leading part in the organising and starting of *The North British Review*, for the first number of which he



wrote an article, and contributed afterwards. In 1850 he became Solicitor-General. When Lord Rutherford was elevated to the bench in 1851, James Moncreiff was appointed Lord Advocate, which office he held until the change of Ministry in March 1852.

Lord Rutherford, when Lord Advocate, having sat as Member for the Leith District of Burghs, the seat became vacant on his elevation to the bench. The Leith people chose James

Moncreiff as his successor in 1852, and he continued to represent Leith till April 1859. In 1857 a section of the community thought that the burghs ought to be represented by a mercantile man, and accordingly William Miller stood as their nominee, but was beaten, Mr. Moncreiff polling 821 against Mr. Miller's 761. When Mr. Moncreiff entered Parliament in 1852 he re-introduced the Bill to abolish Religious Tests in the Universities, but which again was thrown out on the second reading. He again introduced it in 1853, and succeeded in carrying it. He also carried the Valuation of Lands (Scotland) Act, 1854, one of the most useful measures ever passed for Scotland during the present century, and in 1856 he piloted through Parliament the Bankruptcy (Scotland) Act, 1856. When the general election took place in 1859, Mr. Moncreiff resolved not to contest Leith, and was therefore elected Member for the City of Edinburgh, which constituency he represented till 1868, when he was returned for the Universities of Glasgow and Aberdeen. On his election as Member for the Leith Burghs in 1852, he was again appointed Lord Advocate, which office he held till March 1858. He held that office a third time, from June 1859 till July 1866; and a fourth time, from December 1868 till November 1869. At this time he was appointed Lord Justice-Clerk and President of the Second Division of the Court of Session on the transfer of Lord Glencorse (Mr. Inglis) to the First Division as Lord President. He was then sworn as a Member of Her Majesty's Privy Council, and was content to assume his own name, and be recognised as Lord Moncreiff. Previous to his elevation to the bench, Mr. Moncreiff was Dean of the Faculty of Advocates from 1858 to 1869. In 1858 his Alma Mater conferred on him the degree of Doctor of Laws, and he was Lord Rector of Edinburgh University from 1868 to 1871. In 1871 he had a baronetcy given him by Mr. Gladstone, and two years later he was raised to the Peirage of the United Kingdom as Baron Moncreiff, of Tulliebole. He was also a Deputy-Lieutenant and Justice of Peace for the County of Edinburgh, as well as Lieutenant-Colonel of the Edinburgh Rifle Volunteers. In August 1878 he was appointed one of the Royal Commis-

sioners under the Endowed Institutions (Scotland) Act, 1878, and in 1883 he succeeded his brother, the Rev. Sir Henry Methven Moncreiff, as eleventh baronet.

In 1887, in recognition of long and valued services, the members of the College of Justice had his Lordship's portrait painted by George Reid, R.S.A. It hangs on the walls of the Parliament House. Lord Moncreiff retired from the office of Lord Justice-Clerk in 1888, and his public career was thus practically closed.

Lord Moncreiff was never either so sound or learned a lawyer, or so able and successful a judge, as Lord Rutherford. He was, however, a better politician and more successful Lord Advocate. He had a wide knowledge of human nature, a cultivated mind, a ready grasp of the salient points of any measure that came before the House, and could state the same clearly, concisely, and, when required, eloquently. His great forte was on the public platform, where he was both an elegant and an eloquent speaker. As a counsel, he was only successful as a senior, and that in the limited arena of jury cases or the Criminal Court. As a judge in civil cases he was not a great success. Where facts were concerned he could seize readily on the salient points, but where legal principles had to be applied or expounded he was not so strong. When we turn to the Criminal Court, we find Lord Moncreiff more at home, and, in consequence, a most successful judge. He had a most intimate acquaintance with the criminal law, gained by long experience as Lord Advocate in its administration, and an extensive jury practice, which made him feel himself safe in the Justiciary Court. Combined with this was his high sense of judicial duty and rectitude, a well-balanced mind, which enabled him to hold the scales of justice evenly between prosecutor and accused. His career in the Criminal Court will long be remembered, and his name will live in its records, both on account of his speeches and charges.

SIR WILLIAM MILLER, BART.

THE Burgh of Leith was long and ably represented in Parliament by a succession of Lord Advocates—a representation which reflected much lustre upon the burghs. A very natural feeling, however, grew up within the burghs, that as a commercial community their interests would be best served



by some one engaged or interested in commercial pursuits; and in 1859 Mr. William Miller, who contested the seat against Mr. Macfie, was returned as the representative of the burghs. Mr. Miller was born in 1809; his father, James Miller, was a merchant in Leith, where he established the firm of James Miller & Sons. The business in its early days consisted principally in trading with Russia, to which country

the firm exported iron, coal, bricks, herrings, etc. Mr. William Miller, after completing his education, entered his father's business, and, after acquiring some commercial experience, proceeded to Russia as the firm's representative, eventually founding there a new firm under the style of William Miller & Company, which exported Russian produce—hemp, tallow, grain, etc.—to all the chief ports of the United Kingdom. Mr. Miller also, in conjunction with others, established and developed in Russia various commercial and manufacturing industries. He acquired a large interest in the brewing of the country, which he continued to hold for a long time, and which formed for him a very lucrative part of his business.

Owing to his extensive business connections, as well as his shrewd and upright conduct, he was appointed honorary British Vice-Consul at St. Petersburg, an appointment which he held for about sixteen years. On the outbreak of the Crimean war, or immediately before it, Mr. Miller's shrewd, prudent foresight enabled him to see that shipping during these troublous times would be a profitable investment, and accordingly he added that to the other commercial enterprises in which he was engaged. He continued to take a deep and active interest in shipping from that onwards to the close of his commercial career.

As stated in our notice of Lord Moncreiff, Mr. Miller was induced to contest the burghs against the Lord Advocate in 1857, but was defeated by a majority of 120 in favour of the sitting member. When the Lord Advocate gave up the representation of the burghs to stand for the City of Edinburgh, Mr. Miller again stood as candidate against Mr. R. A. Macfie, of Dreghorn, when he was elected by 904 votes as against 746 for his unsuccessful competitor. He was returned unopposed in the election of 1865, and continued to represent the burghs till the dissolution of 1868. This election was fought on Mr. Gladstone's policy of Disestablishment for Ireland, and although Mr. Miller supported that policy, Mr. Macfie again came forward to oppose him. The extension of the Franchise had by this time largely increased the electorate,

and Mr. Macfie being brought forward by what in these days was termed the Independent or Advanced Liberal party, had largely the support of the newly enfranchised masses. The election was keenly contested, but the constituency returned Mr. Macfie by 2285 votes as against 1995 for Mr. Miller.

Mr. Miller felt the defeat pretty keenly, but occupied himself for some time with his business enterprises, of which he still had many. In 1864 he purchased an estate in Berwickshire from the trustees of his brother, and he spent a good deal of his time there. In 1873 he stood for that county in the Liberal interest as against Lord Dunglass, and was returned by a majority of 15. A general election ensued, however, in 1874, when he was defeated by the Honourable R. Bailie Hamilton. After the election a baronetcy was conferred upon him by Mr. Gladstone, and he then practically retired from active business pursuits. His naturally active commercial habits, however, would not permit him to remain unoccupied, and he engaged in such business as was congenial to him. He was a large shareholder and director in the North British Railway, and was warmly interested in its development. He was also an extraordinary director of the British Linen Bank, chairman of the Northern Assurance Company, and held largely in the Shotts Iron Company.

In politics he was a sound, moderate, and consistent Liberal, and gave his support generally to all measures promoted by his party.

He was not a platform speaker, and his voice was rarely heard in the House of Commons, but his shrewd business mind and his princely hospitality, gave him an influence there much greater than was possessed by more fluent speakers. When the Bill was being promoted for the extension of the docks in Leith, he rendered great service, and had the gratification of seeing the Albert Dock formed and opened largely through his exertions.

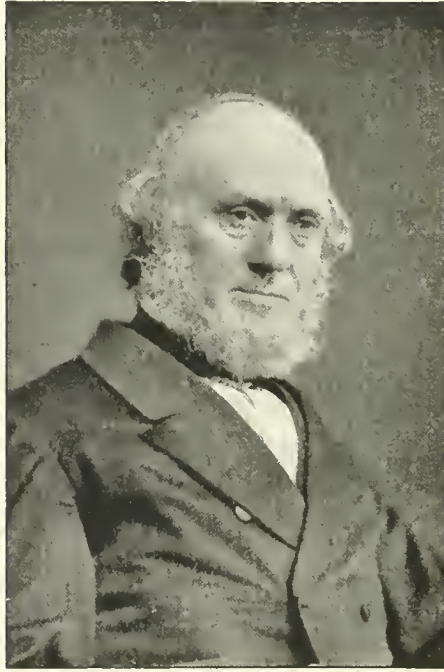
In all the public institutions of the burgh he took a deep interest, and to the charities he contributed handsomely. Among his many good deeds in that respect may be mentioned the drinking fountains he erected shortly after his election,

which at that time were an entirely new institution. In 1868 his contribution of £1000 was practically the means of starting the Leith Public Institute. In recognition of this, and his public services generally, a marble bust of Sir William was placed in the reading-room of the Institute. He was ready at all times to do anything to forward the interests of the burgh, and was a really useful member, aiding and assisting the Town Council, the Dock Commissioners, and other public bodies, when aid, especially parliamentary or official, was needed. In recognition of these services, as well as a mark of appreciation of his service in Parliament in connection with the extension of the Franchise, and of his zeal in promoting the interests of the burgh, the working men of Leith and elsewhere presented him with a life-size portrait of himself, which is hung in the Leith Exchange Reading-Room. Sir William was married in 1858 to a daughter of John Farley, Leith, Q.C., by whom he had three sons and two daughters. He died on 10th October 1887, survived by Lady Miller, and his surviving eldest son, James Percy Miller, then a lieutenant in the Hussars, succeeded to the title and estates.

R. A. MACFIE, Esq.

IN 1868, when Mr. (afterwards Sir) William Miller was defeated by the newly enfranchised electorate, his successful opponent was R. A. Macfie, Esq. of Dreghorn and Colinton. Mr. Macfie was born at Leith in 1811. His father was John Macfie, a younger son of Robert Macfie, Esq., of Langhouse, who had long been connected in Greenock with the business of sugar. John Macfie was sent to establish and manage the Elbe Street sugar-house in Leith by his father and brothers in 1804. In 1810 he married Alison Thorburn, daughter of William Thorburn, merchant in Leith. As Chief Magistrate in 1822, he had the honour of welcoming King George IV. when he landed at Leith.

Mr. Macfie was educated at the High Schools of Leith and Edinburgh, and from them proceeded to the University of Edinburgh. After leaving the University he served in a Leith merchant's office for two years, and then joined his father's sugar refining business in Edinburgh, to which city the family removed from Leith in 1830. Mr. Macfie afterwards became, at Glasgow in 1835, one of the agents for the National Bank



of Scotland, of which institution his father was one of the original directors. He left Glasgow for Liverpool in 1838, to establish a branch of the family firm under the name of Macfie & Sons for the sugar refining industry. In 1871, having already retired from business in favour of his sons and relatives, he removed to Dreghorn Castle, near Edinburgh, where he lived until his death. While he was in Glasgow he took a deep interest in the improvement of the Post Office

system, and was requested to give evidence in favour of Sir Rowland Hill's scheme, which request, however, he did not accept. Carrying his reforming tendencies with him to Liverpool, he took an active part in several of the questions of practical reform then agitating the public mind. He was one of the original directors of the Liverpool Chamber of Commerce, and was appointed a trustee of the Liverpool Exchange, being one of four or five along with Mr. W. E. Gladstone. He opposed the French Treaty in the Chamber of Commerce, on the ground that it was not politic. He advocated a system of limited liability in partnerships, and the simplification of commercial stamp schedules; a report whereon, of the Liverpool Chamber of Commerce, drawn up on his terms and by him, he sent to Lord Beaconsfield, then Chancellor of the Exchequer, with eminently good effect. He favoured reforms in the laws of patents and copyrights. On these latter subjects he took a very deep interest, wrote several essays, papers, and pamphlets, and latterly collected, in two large volumes, the opinions of most of the leading men of the day who had studied the subject. Mr. Macfie has all along taken a deep interest in the religious and social welfare of the people, and has written on Christian union, missions, and hymns. He was the means of getting Messrs. T. & T. Clark, of Edinburgh, to publish the valuable collection of the early Christian writings known as the Ante-Nicene Christian Library.

In 1859, Mr. Macfie was invited to contest the Leith Burghs on the retirement of the Lord Advocate Moncreiff, but was defeated by Mr. (afterwards Sir) William Miller. At the election of 1868, after the Franchise had been extended, Mr. Macfie was again invited to come forward, when he gained the seat—2285 voting for him and 1995 for his opponent. He continued to represent the burghs till 1874, when he was defeated by Mr. Donald R. Macgregor, merchant, Leith—1945 having voted for Mr. Macgregor and 1489 for Mr. Macfie. While Mr. Macfie sat as Member for the Burghs he took a great interest in all that promoted the welfare of the three towns, or would develop the prosperity of the Port and its adjoining burghs. He was held in much

respect for his upright, straightforward character. He made repeated efforts to get the Firth of Forth better protected and more effectually fortified, and chiefly through his representations preparations were begun to fortify Inchkeith and Kinghornness. He was an active supporter of the Volunteer movement, and presented the Leith Volunteers with a handsome piece of plate to be competed for annually. Long before Imperial Federation had got the hold it now has on the public mind, Mr. Macfie strongly advocated a scheme of the kind on every opportunity, and at its start joined the Royal Colonial Institute, in the Council of which he took an active part till he resigned office. Along with other partners of the firm of Macfie & Sons, he gave to Liverpool the Philadelphia Chamber. In politics Mr. Macfie was an advanced Liberal and supporter of Mr. Gladstone. In religion he was a Presbyterian, but was broad in tolerance, and had sympathy for all Christian Churches. He was a good business man, a very useful Member for the Burghs, ready at all times to assist the Town Council, Dock Commission, or other public bodies, or, indeed, any private citizen who had a grievance to be redressed, or required some service at headquarters in London. After the election in 1874, Mr. Macfie did not again seek to return to parliamentary life, but retired to his country seat. He was a J.P. for the county of Midlothian, and took an interest both in county politics and also in the general management of the county affairs, until most of these were transferred to the County Council. He died 16th February 1893, and was buried in South Leith Churchyard, beside his father, mother, and other members of his family. Mr. Macfie married, in 1840, Caroline Eliza, eldest daughter of the late Dr. John Easton of Courancehill (and 15th Hussars), who still survives, and had two sons and three daughters of a family. The eldest son, J. W. Macfie, is a sugar refiner at Liverpool, residing at Rowton Hall, Cheshire, the other, R. A. Macfie, a sugar planter. The daughters are married to the Rev. James Johnstone, some time a missionary at Amoy in China, afterwards for nineteen years Free Church minister in Glasgow and now secretary of the Vernacular

Education Society for India; Sir Thomas McClure, long an Irish Liberal M.P., now residing at Redford in this county: and George Barbour, Esq., Major in the Prince of Wales Cheshire Yeomanry, of Bolesworth Castle, Cheshire.

D. R. MACGREGOR, Esq.



DONALD ROBERT MACGREGOR, born at Perth in 1824, was the son of Lieut. Evan Macgregor, and was educated at the Public School of Perth. He entered the office of Messrs. William Allan & Co., timber importers and general brokers in Leith, and acquired a good mercantile training, and gained considerable experience in foreign trade and shipping. On

the dissolution of the firm about 1841, Mr. Macgregor began business as a shipbroker on his own account, and soon acquired a large connection. In conjunction with others, he took, if not the leading, the most prominent part in opening up and developing the trading relations of the port with the Continent, the Baltic, and our Australian colonies.

Being closely associated with the late Sir William Miller, M.P., a man of large capital and commercial experience, a regular fleet of steamers was soon established under his supervision between Leith and Russia. By his energy and example he did much, probably more than any other single individual, to infuse a vigorous, enterprising, and progressive spirit in the shipping trade of Leith, and the increase of the foreign trade, the extensions of the docks, and the greater railway facilities now afforded to Leith, are greatly due to his exertions. He sat as one of the representatives of the Town Council at the Dock Commission for many years, and was for long a member of the local Marine Board. His patriotism and public spirit found a congenial outlet in the volunteer movement, in which he took an active and lively interest, and became Lieutenant-Colonel of the First Midlothian Rifle Volunteers.

In 1859 he took an active part in the promotion of the candidature of his friend, Mr. Miller, to represent the Leith Burghs in Parliament in opposition to Mr. Moncreiff. Mr. Miller was, however, defeated on this occasion. At the dissolution in 1859, Mr. Miller again entered the field and defeated Mr. Macfie. In this contest Mr. Macgregor took as active a part as the candidate himself, and assisted him greatly. In 1868, Mr. Miller was defeated by Mr. Macfie, notwithstanding Mr. Macgregor's vigorous exertions. Having a wide and extensive knowledge of the affairs of the burghs, he, at the general election of 1874, contested the seat against Mr. Macfie and defeated him. He continued to represent the burghs in Parliament till 1878, when he accepted the Chiltern Hundreds. Shortly after, he left Leith, and on the invitation of Mr. Pearce, of the well-known firm of Govan shipbuilders, he went to reside in the West of Scotland, and was engaged in that firm in the development of their business as shipbuilders. He again

entered the field to represent the burghs in 1886, in the triangular contest between Mr. Jacks, the sitting member, and Mr. Munro-Ferguson. Mr. Munro-Ferguson was returned by a majority over the combined two, but Mr. Macgregor stood second on the list. This closed Mr. Macgregor's public career, and he retired practically from business into private life. He died at Saint Bothwell on 6th December 1889.

In politics Mr. Macgregor was a Liberal, but his political convictions were not very deep-rooted. He was a ready and effective platform speaker, a man full of genial good humour, and of an active vivacious temperament. He took a prominent part in all the public movements of Leith for a period extending over nearly forty years, was a generous contributor to its charities, and was ever ready to do anything to promote the interests of the Port.

While in Parliament he was an active, attentive, and assiduous member, who not only was ready at all times to render assistance to public bodies, such as the Town Council and Dock Commission, but to anyone requiring the assistance or influence of the Member. He was married to Miss Mary Anderson, Newcastle, who predeceased him, having left no issue.

ANDREW GRANT, Esq.

WHEN Mr. Macgregor accepted the Chiltern Hundreds in 1878, the burghs had a pretty wide choice of candidates for the parliamentary representation. Mr. (afterwards Lord) McLaren was the first to enter the field, and was shortly afterwards followed by Mr. James Lindsay Bennet, merchant in London, who was a native of Leith. Shortly thereafter Mr. Andrew Grant, a retired Indian merchant, also a native of Leith, entered the field. All these three candidates were Liberals. The General Committee of the Liberal Association of the burghs met on 19th January 1878, to decide as to which candidate they would recommend to the constituency,

and a majority voted for Mr. Grant. After this announcement, the other two candidates retired. The Conservative cause was espoused by Mr. Welch-Tennant. The contest was carried on with much vigour, and the election took place on 29th January 1878. The figures were—Andrew Grant, 4929; Welch-Tennant, 1788; giving a majority of 3141 for the Liberal candidate.



The successful candidate was the son of the Rev. Dr. Grant, who at one time held the senior pastoral charge in the Parish of South Leith. Mr. Grant received the early part of his education at Leith High School. From there he passed to the Edinburgh University, where he was a member of one of the University Debating Societies. He thereafter went abroad to a commercial house first in China, and subsequently in Bombay carried on an extensive mercantile business. He

returned to Britain about 1866, when he started and carried on a business in Liverpool in connection with the Bombay house of which he had been a partner.

He retired from business about 1872. Since then he has lived chiefly at Invermay, Perthshire. The experience in commercial concerns and general mercantile business which Mr. Grant had acquired during his connection with trade, was most serviceable to a commercial constituency like the Leith Burghs. In all that pertained to the success of these burghs he took a lively interest. He was a model member in attending to the interests of his constituents. He was a punctual and regular attender at Westminster, and no reasonable complaint could be made that he unduly absented himself from the divisions in the House.

In politics he was Liberal. He was in favour of the equalisation of the Burgh and County Franchise, and advocated some measures for the advancement of education among the people. He was in favour of a great measure of control over the liquor traffic, and advocated its better regulation. He always supported economy in the Imperial expenditure, in so far as the same was consistent with efficiency. In religion he considered that the policy of State and its religion was not tenable in principle, and that it ought to be terminated. He was in favour of a measure placing religion in Scotland on an equal footing, and practically was in favour of Disestablishment. He was an unostentatious though generous contributor to the charities of the burghs, and took a deep interest in all that pertained to the welfare of the three burghs.

In 1884, finding that the onerous duties of attending to the interest of a commercial constituency like the Leith Burghs was too great a strain on his health to be conscientiously fulfilled, he retired from Parliament. Mr. Grant was married in 1872 to Miss Townsend, daughter of Joseph Townsend, Esq., Glasgow, but has no issue. He now resides chiefly at Lawers House, Invermay, Perthshire, and passes the winters generally in the south of France.

WILLIAM JACKS, Esq.



WHEN Mr. Grant resolved not to seek re-election in 1885, two candidates of good repute presented themselves in the persons of Mr. William Jacks, of Glasgow, and Mr. Albert Rutson, London. Mr. Jacks was an iron merchant in Glasgow, while Mr. Rutson, who was a non-practising English barrister, had a political training as private Secretary to Lord Aberdare. After the two candidates had been duly heard in the burghs, a meeting of the Liberal Association of the Burghs was held on 3rd October 1885, with the result that eighty-eight voted for the adoption of Mr. Jacks as candidate, and eleven for Mr. Ruston. The Tories adopted Mr. William David Thorburn, who had both a local connection and bore a name which has long been deservedly honoured and

esteemed in the burgh through his father, Dr. Thorburn's position as a minister in the burgh. The contest resulted in the returning of Mr. Jacks, the figures being—Mr. Jacks, 6355; Mr. Thorburn, 2485; majority, 3890.

The successful candidate, Mr. Jacks, was born at Cornhill, near Coldstream, on 18th March 1841. His father was a man of very limited means, and young Jacks, on leaving school, went to West Hartlepool and entered a shipbuilding yard there; he shortly thereafter removed to a similar establishment on the banks of the Wear, where he sometime after managed to get into the counting-house. Leaving this he got into a Glasgow firm with a German connection, where he remained till he began business himself in Glasgow as a broker and merchant in the iron and steel trade.

Mr. Jacks was elected on 30th November 1885, and sat till the dissolution which took place on Mr. Gladstone's appeal to the country with reference to his two Irish Bills. On 1st May 1886, Mr. Jacks addressed a meeting of the Liberal Association at Leith, on the subject of the proposed legislation for Ireland. He stated his objections to the Bills, and declared "that he had come to the conclusion that the Bills in their present form were so defective and dangerous, that unless they were modified he would for the reasons given feel himself unable to vote for the second reading." At this meeting a resolution was carried by a very large majority, to the effect, "That in the opinion of this meeting the proposals of the Government with reference to Ireland afford a basis for the satisfactory settlement of the Irish difficulties, and resolves to petition the House of Commons in favour of these measures." Notwithstanding this Mr. Jacks voted against the Bills, and on the dissolution he went round the burghs and addressed the constituencies in Leith, Musselburgh, and Portobello, without meeting anything but a temporary opposition. Up to the day of the nomination no opponent appeared in the burghs, and it was assumed that his election was to be unanimous and without opposition. On that footing he was duly nominated. Long before anyone was about the High School the place fixed to receive the nominations, Mr. Jacks was

nominated, and an hour afterwards there drove up to the door a number of discontents, who entered the building. A nomination paper was procured by Mr. Knox Crawford, Portobello, and filled up, the proposer of Mr. Gladstone being Mr. J. G. Holborn, Leith, seconded by Mr. J. Knox Crawford, S.S.C., and the assenters, Messrs. James Steel, Edinburgh; Thos. Hall, paint manufacturer, Leith; Colonel H. Maitland, Portobello; Messrs. Johnstone, Portobello; Samuel M'Laren, shipbroker, Leith; John Wood, engineer, Leith; Robert Kellock, Portobello; and ex-Bailie Ferguson, Portobello. Mr. Jacks having learned what had occurred, proceeded to the High School, accompanied by his agent, Bailie Aitken, and Mr. Somerville. The first to receive him was Mr. Ivory, W.S., who, after exchanging a few words, returned into the School, and in answer to an elector, declared that Mr. Jacks had pledged himself to support Mr. Gladstone's views in the Music Hall. Mr. Jacks being interrogated on this point, indignantly denied the imputation. Thereafter he entered the Sheriff's room and withdrew his nomination. The general opinion prevailed that the scheme had been adopted to secure time to introduce a Ministerial candidate, as in all likelihood Mr. Gladstone would resign the seat when Parliament met. Mr. Gladstone being elected for Midlothian, declined the Leith seat, and a new election was necessary. In the following August, accordingly, three candidates took the field: Mr. Jacks, Mr. D. R. Macgregor, ex-M.P., and Mr. Munro-Ferguson. Mr. Jacks was supported by the Liberal Unionists, Mr. Macgregor by the Tories, and Mr. Ferguson by the Liberals. Mr. Ferguson was elected.

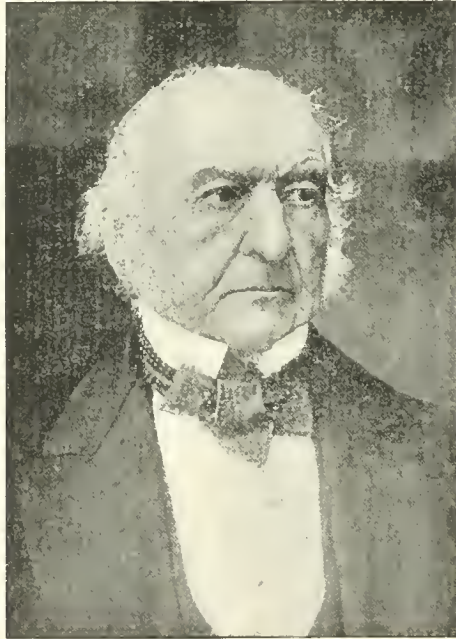
During the short time Mr. Jacks sat for the burghs he did his duties as parliamentary representative with a conscientious regard to the high standard he had set up for himself as a Member of Parliament. He was attentive to all the legitimate demands of the constituency, punctual and regular in his attendance at the House, and replied promptly to all the correspondence of his constituents. He was a good speaker, and on two occasions, at least, addressed the House of Commons on subjects of which he had a special knowledge,

the Dockyard Estimates and the Railway and Canal Traffic Bill. He was ready at any convenient time to give lectures to any of the young men's associations or literary societies, or indeed to any deserving body. He was a considerable student of both British and German literature, and could and did give effective lectures on many of the literary celebrities who had flourished in both countries. In religion he was distinctly in favour of religious equality, and was prepared to vote for Disestablishment. He was an Independent or Congregationalist himself, but did not attach much importance to denominationalism. He is married to Miss Matilda Ferguson, daughter of the late Mr. John Stiven, merchant, Glasgow. Both Mr. and Mrs. Jacks were much respected by all who knew them in Leith, and his severance from the representation of the constituency was generally regretted. Mr. Jacks afterwards accepted the principles of Mr. Gladstone's Irish legislation as modified by the retention of the Irish members in the Imperial Parliament, and became the accepted Gladstonian candidate for Stirlingshire at the ensuing general election. It is worthy of note that he was adopted on the very speech at which the above-named Leith gentlemen took offence, and Mr. Jacks told his audience this quite clearly and frankly, reiterating these were the views he had always held. Mr. Gladstone himself wrote and strongly recommended him to the constituency, the result being that he was elected for Stirlingshire. He was, however, defeated at the next general election.

RIGHT HON. W. E. GLADSTONE.

IN 1886, when the general election took place on Mr. Gladstone's Irish Bills, Mr. Jacks having voted against the Bills, then having appeared with Mr. Gladstone on the platform in Edinburgh in support of the Bills, and in his speech to the electors having so vacillated that they did not

know where he was, a section of the constituency on the nomination day nominated Mr. Gladstone, with his consent, against Mr. Jacks, who therefore withdrew, and Mr. Gladstone was elected without opposition as Member for the Leith Burghs. Mr. Gladstone having also been elected for Midlothian, preferred to sit for his former constituency; but having been duly elected for the Leith Burghs he may be enrolled in our gallery of portraits of Members for the Burghs.



William Ewart Gladstone was born in Liverpool on 29th December 1809. His father was Sir John Gladstone, a merchant in Liverpool. His mother was Anne, daughter of Andrew Robertson of Stornoway, some time Provost of Dingwall. William's earliest education was obtained at the vicarage of Seaforth, and in 1821 he passed to Eton. In October 1828 he entered Christ Church, Oxford, where his career was most successful, and, in December 1831, he took a double

first-class. He was president of the Union Debating Society there, and was one of the most brilliant speakers of the Union.

He left the University, intending to enter upon a clerical career, but his father had determined otherwise, and with a characteristic sense of duty to the paternal will, he obeyed. In the spring of 1832 he went to Italy, but in September he was recalled to contest the burgh of Newark, practically on the nomination of the Duke of Newcastle, and was returned at the head of the poll, along with another Tory. He took his seat in the first reformed Parliament on 27th January 1833. On 17th March 1833 he made his maiden speech in reply to an attack by Lord Howick on his father's (Sir John Gladstone's) slave plantation in Demerara. The question of Ireland, then as now, was an urgent one, and on 8th June he made a most elaborate speech on the Church Temporalities (Ireland) Bill.

Lord Grey's stock of Liberalism was practically exhausted by the Reform Bill, and he was soon obliged to resign owing to the want of cohesion in his Cabinet. After a futile attempt to reconstruct a Cabinet of Whigs and Tories, the former Cabinet was reconstructed under the premiership of Lord Melbourne. On 10th November Lord Spencer died, his son, Lord Althorp, was elevated to the peerage, and that rendered vacant the leadership in the House. Lord Melbourne submitted to the King certain names for the Chancellorship of the Exchequer and the leadership of the House of Commons. Next day the King handed him a letter stating that as Lord Althorp's services had been lost as leader of the House, he felt no confidence in the stability of the Government when led by any other member; that the Government was already in a minority in the House of Lords, and that he believed they would soon be so in the House of Commons, and that as it was therefore necessary to make other arrangements, it was his intention to send for the Duke of Wellington. This course of procedure threw parties and politicians into almost inextricable confusion. The Duke accepted the Royal Commission, sent for Sir Robert Peel, and formed a Cabinet, Gladstone being made

a Junior Lord of the Treasury. Parliament was dissolved on 29th December, and Gladstone was returned unopposed for Newark. On the meeting of Parliament he was promoted to the Under-Secretaryship for the Colonies. In this office he gave great proof of his capacity for business and untiring energy for work. On 8th April Sir Robert Peel resigned, being beaten on a resolution of Lord John Russell's to inquire into the temporalities of the Irish Church, and Gladstone, as Under-Secretary for the Colonies, went out with his chief.

He took advantage of his release from official life to work at what was most interesting to him. In 1838 his work on "The State in its relation with the Church" appeared, followed in 1840 by "Church Principles considered in their Results." The first work created a great sensation, and soon reached a third edition.

By a course of such study he had injured his eyesight, and was recommended to take a tour through the south of Europe. He accordingly spent the winter at Rome, where he met the widow and daughters of Sir Stephen Richard Glynne, of Hawarden Castle, Flintshire, and became engaged to the elder of the daughters. On 25th July 1839 he was married at Hawarden to Miss Catherine Glynne, sister of Sir Stephen Glynne, ninth and last baronet of that name, and thus through her the family succeeded to the Castle and lands of Hawarden. On the same day, and also at Hawarden, George William, fourth Lord Lyttleton, married Miss Mary Glynne.

In 1840, Mr. Gladstone delivered a remarkably eloquent speech on our relations with China, wherein he expressed the greatest anxiety that the British arms should not be employed in unrighteous enterprise. In 1841 the Budget showed a deficit of nearly two millions, which it was proposed to meet by an increase of the sugar duties. This was defeated, whereupon Lord John Russell proposed to impose a fixed duty of eight shillings per quarter on wheat, and to diminish the rates on rye, barley, and oats. Sir Robert Peel moved a want of confidence in the financial policy of the Government, which was carried, and on 22nd June 1841 the Queen dissolved

Parliament. The elections gave the Tories a majority of eighty, and on the assembling of Parliament the Government was defeated on the Address, and resigned. Sir Robert Peel took office, Mr. Gladstone, being again Member for Newark, was made Vice-President of the Board of Trade and Master of the Mint, at same time being made a Privy Councillor. Mr. Gladstone had then suggested a sliding scale for the grain duties, and in 1842 he took a leading part in the financial reform whereby duties were abolished or diminished on about 1200 duty-paying articles.

On 10th June 1843, he became president of the Board of Trade, and entered the Cabinet at the age of thirty-three. He had only been about a year in the Cabinet when Sir Robert Peel proposed to increase the grant to Maynooth College from £9000 to £30,000 a year, and in January 1845 he resigned his office on this question. In 1845 Sir Robert Peel proposed that all restrictions on the importations of food should be abolished, but his colleagues in the Cabinet did not agree with him. He thereupon informed Her Majesty that he could not carry on the Government, and Lord John Russell being unable to form a Cabinet, Sir Robert Peel resumed office, with Mr. Gladstone as Secretary of State for the Colonies.

His acceptance of office cost him his seat. Sitting for Newark as nominee of the Duke of Newcastle, a stern Protectionist, he did not offer himself for re-election, and was therefore left out of the House during the year of the great struggle for the repeal of the Corn Laws. On 23rd July 1847, Parliament was dissolved, and the nomination for Oxford took place on 29th July, when Mr. Gladstone was nominated, and, after a keen contest, was returned second at the poll, Sir Robert Inglis heading it. In 1850 he delivered one of his most eloquent speeches in the House on the Don Pacifico debate, and during the same year he delivered his immortal eulogy on his great friend and leader, Sir Robert Peel, who had been killed by a fall from his horse.

During 1850-51, Mr Gladstone went to Naples, where he found the jails packed with political prisoners, the victims of King Ferdinand's fury. He denounced this vigorously in a

letter to Lord Aberdeen. This was followed by other two letters, which greatly contributed to the bringing about of a united free Italy, a service which the Italians have never forgotten. He returned from Italy to England in 1851, when the country was convulsed by a cry of "No Popery." Lord John Russell introduced a Bill for preventing Roman Catholic prelates assuming titles from places in the United Kingdom. The Bill was denounced by Mr. Gladstone, but was passed, and lay practically unattended to.

The Government was defeated on a motion for the assimilation of the Burgh and County Franchise, but Lord Stanley and Lord Aberdeen having both failed to form a Cabinet, Lord John Russell and his colleagues resumed office.

On 2nd December 1851, Louis Napoleon, Prince President of the French Republic, abolished the Constitution, and practically proclaimed himself Dictator. The Queen and country were indignant at this, but it turned out that Lord Palmerston had expressed approval of the act to the French Ambassador. Lord John Russell was obliged to dismiss his Foreign Minister, who in the following February helped the Tories to defeat the Prime Minister on a Bill for reorganising the Militia. Lord Derby thereupon assumed office, with Mr. Disraeli as Chancellor of the Exchequer and Leader of the House. Disraeli, in a Budget, proposed to reduce the duty on malt, and make this up by doubling the duty on inhabited houses. Mr. Disraeli made one of his greatest efforts in introducing his Budget, and, sitting down late at night, was followed by Mr. Gladstone in a crowded and excited House. He literally tore the Budget to shreds, and in a speech of unparalleled force and eloquence carried the House with him, and left the Government in a minority of nineteen. Lord Aberdeen resumed office as Prime Minister, with Mr. Gladstone as Chancellor of the Exchequer. The feeling against Mr. Gladstone was intense, and his election for Oxford was contested with the utmost keenness and bitterness. He introduced his first Budget on 18th April 1853. It contained many and great financial reforms, and in a speech of five hours he held the House spellbound by his marvellous mastery of detail, his

unrivalled, embellished rhetoric in dealing with the most prosy financial figures, and his comprehensive sweep of finance.

The Crimean War now broke out, and the announcement was made to the House on 27th March 1854. Mr. Gladstone, a peace Minister, and an ardent financial retrencher, had the mortification of having to defend the war. Lord Aberdeen was defeated on a motion by Mr. Roebuck to inquire into the condition of the army before Sebastopol, and thereupon resigned. Lord John Russell would not undertake office, and Lord Palmerston became Prime Minister. He was joined by the Peelites, of whom Mr. Gladstone was one, and who became Chancellor of the Exchequer.

This was the first time he had entered a Whig ministry, and marks his entrance on the Liberal path. The Government was formed on the footing of resistance to Roebuck's motion, but Palmerston was more of a tactician than a man of principle, and would not resist. Thereupon Mr. Gladstone and other two Peelites, Sir James Graham and Sir Sydney Herbert, resigned. These three remained three Independents, Sir George Lewis becoming Chancellor of the Exchequer. In February 1858, Lord Palmerston introduced a Bill proposing to make conspiracy to murder a felony, punishable with five years' penal servitude. This was strongly opposed, Mr. Gladstone and his Peelite brethren being against it. The Bill was defeated, and Lord Palmerston resigned. Lord Derby took office, with Disraeli as Chancellor of the Exchequer and leader of the House.

During this year Lord Derby invited Mr. Gladstone to go out as Lord High Commissioner to the Ionian Islands. On 5th December he addressed the Senate of the Ionian Islands in Italian. He gained great laurels for the Government and himself on this mission. In the session of 1859 Disraeli introduced his Bill for the Amendment of the Representation of the People, with all his fancy franchises. Lord John Russell moved an amendment, which was carried, and Parliament was dissolved. Mr. Gladstone was returned unopposed for Oxford. On the opening of Parliament a vote of no confidence in the Government was carried. The Queen sent

for Lord Granville, who failed to form a Cabinet, when Palmerston was again made Prime Minister, Lord John Russell became Foreign Secretary, and Mr. Gladstone Chancellor of the Exchequer. On seeking re-election Mr. Gladstone was opposed by Lord Chandos, but defeated him by a majority of 191.

Mr. Gladstone had now fairly embraced Liberal principles. He was elected Lord Rector of the University of Edinburgh, and on 16th April 1860 he delivered his inaugural address, on the Work of Universities. In this year he introduced his memorable Budget, wherein he asked assent to Cobden's Commercial Treaty with France, and the abolition of the paper duty. The Lords threw out the Paper Duty Bill, which afforded Mr. Gladstone an opportunity of instructing the Lords as to the limits of their powers, and stating that he reserved to himself the right to take such action as should give effect to the resolution of the House of Commons. Mr. Gladstone next session repeated the same proposal, and embodied it in his Budget Bill. The Lords then passed it.

In March 1865, Mr. Gladstone made a memorable speech, admitting "that the Irish Church Establishment is unsatisfactory," but voted against a motion for inquiry, because it would be out of the power of the Government to fulfil that undertaking. His term of office as Lord Rector of Edinburgh University expired this year, when he delivered a most admirable address on "The Place of Ancient Greece in the Providential Order."

On 6th July 1864, Parliament was dissolved, when Oxford rejected Mr. Gladstone. He had, however, been elected for South Lancashire, with two Tories heading him at the poll. On 18th October 1865, Palmerston died, and the Queen requested Lord Russell to undertake the duties of Prime Minister and to carry on the Government. Lord John had Mr. Gladstone as Chancellor of the Exchequer and leader of the House of Commons. Lord John Russell's great aim was Parliamentary Reform, and, at the opening of the session, Mr. Gladstone introduced a Bill on the subject. The Bill was not well received, and its second reading was only carried by

a majority of five. The Ministry thereupon resigned, and Lord Derby accepted office. Disraeli introduced his Reform Bill on 18th March 1867, which practically "dished the Whigs."

At Christmas 1867 the venerable leader, Lord Russell, retired from active life, and this was followed on 25th February 1868 by the resignation and retirement of Lord Derby. The Queen thereupon intrusted Disraeli with the formation of a Ministry. Notwithstanding adverse votes, resolutions moved by Mr. Gladstone to disestablish the Irish Church, and other testimonies of want of confidence, Disraeli clung to office till the last. Parliament was at last dissolved, when Mr. Gladstone was defeated by Mr. Cross in Lancashire, but being duly nominated was elected for Greenwich.

On 2nd December 1868, Disraeli resigned, and Mr. Gladstone was summoned to Windsor. Mr. Gladstone introduced his Irish Church Disestablishment Bill in March 1869. The second reading was carried by a majority of 118, the Bill passed through Committee and the House of Lords, and it received the Royal assent on 26th July 1869. In 1870, Mr. Gladstone introduced his Irish Land Bill and his English Education Act, both of which were carried. In 1871 he abolished the Ecclesiastical Titles Bill, and introduced his Bill to establish Secret Voting, which the Lords threw out, but which was carried next year. The Lords threw out also a Bill, introduced by Mr. Cardwell, to abolish Purchase in the Army; but Mr. Gladstone, having discovered that the system only existed by Royal warrant, recommended the Queen to extinguish it by the same method, and it was done. In this year also he consented to the Treaty of Washington, whereby the American claims were submitted to an international tribunal of arbitration which sat at Geneva.

In the end of this year came what are known as the "Eweline Scandal," and the Colliery Explosion. These were two appointments which are the really regrettable incidents of a highly honourable career. In 1873 he introduced his Irish University Bill, which was defeated by three votes. He resigned. The Queen sent for Disraeli, who would not accept

office, and Gladstone had to resume. He had lost the confidence of the Commons, however, and was surrounded by a gang of weak-kneed Liberals. The seals of office became so sour that on 23rd January 1874 Gladstone threw them up, and appealed to the country. The appeal was in vain. Gladstone was returned for Greenwich, but second to a local distiller, while many of his followers lost their seats, and the Tories had a majority of forty-six. Gladstone immediately resigned, and in January 1875 retired from the active leadership of the party.

During his retirement he occupied his time chiefly in theological controversy and the ritual question. His next great appearance was against the Bulgarian atrocities and Beaconsfield's foreign policy of "British ascendancy." At the general election of 1880 he contested the County of Midlothian, and defeated the Earl of Dalkeith on the issue of Beaconsfield's foreign policy. His first Midlothian campaign roused the whole British electorate, and the Liberals were returned by a large majority. Beaconsfield resigned without meeting Parliament. The Queen sent for Lord Hartington, the leader of the Liberal party, who could do nothing. She then sent for Lord Granville, who was in the same plight. Mr. Gladstone was then sent for, and accepted office. The new Parliament met on 29th April 1880. Disraeli, then Lord Beaconsfield, died in April 1881, when Mr. Gladstone delivered a noble and generous eulogy on his political rival.

In 1882 a policy of conciliation to Ireland was begun by the release of Mr. Parnell and some of his followers, who had been imprisoned. Mr. Foster, who was Irish Secretary, dissented, and resigned. Lord Frederick Cavendish was appointed, and this noble, high-minded, and accomplished secretary was brutally murdered almost on his arrival in Dublin. A rigorous Crimes Act was the necessary follower of such an outrage. Mr. Bright resigned on the Egyptian policy; and between the vacillating and unprincipled policy adopted as to Egypt, and the interminable Irish difficulties, the Government was in a sea of difficulties. On 8th June 1885 the Government was defeated on the Budget, and

Gladstone, tired of the dissensions among his colleagues, resigned, the Queen offering him an earldom, which he declined. Lord Salisbury accepted office, and a general election took place in November. Beer, Bible, and Parnellites combined, with the result that the Tories were kept in office, the Liberals not being strong enough to defeat the Tories with the Irish vote, which they had wooed and won on doubtful promises.

The Government was defeated on a resolution in favour of municipal allotments, and though they inclined to hold office they could not, and Mr. Gladstone was sent for on 29th January 1886. The formation of his Cabinet showed an ominous change of position. Lord Hartington, Lord Selborne, Lord Derby, Lord Northbrook, and Lord Carlingford declared themselves against what they understood to be his policy. The Lords might have been left looking on in the cold, but when Mr. Bright, Sir Henry James, Mr. Courtney, Sir George Trevelyan, and Mr. Chamberlain also declared against the new policy, it was felt that something serious was on the tapis. In April Mr. Gladstone brought in his Bill for the government of Ireland, and another for buying out Irish landlords. The dissentient Liberals combined with the Tories against the Bills. On 8th June he was defeated by a majority of thirty. He advised a dissolution. The Queen demurred, but at last, on his urgent advice, assented. A new phase of the Irish Home Rule question was presented to the House of Commons and the people without warning. The policy of the party was reversed in one instant, and though the reversal was justifiable, and the new method was what should have been adopted long ago, neither the House of Commons nor the country would or could be expected to see that at a glance. But Mr. Gladstone was both impracticable and ill-advised. The country returned a Tory majority of 100 at the election, and Lord Salisbury became Prime Minister. On 25th July 1889, Mr. Gladstone celebrated his golden wedding amid general congratulations. At the general election of 1892, Mr. Gladstone was returned by Midlothian with a majority of 690. The Liberals, in conjunction with the Irish Home Rulers, secured a small majority,

and Mr. Gladstone was once more called to the head of the Government. As the election had been fought on the Home Rule question, Mr. Gladstone again introduced his Bill for giving Home Rule to Ireland. It was passed in the Commons, but thrown out in the Lords. Owing to dissensions among his own followers, and failing health, Mr. Gladstone, on 3rd March 1894, resigned the premiership, and retired finally into private life. The Queen sent for Lord Rosebery, who became Premier.

As a man, Mr. Gladstone's predominating characteristic is his moral earnestness, or, more strictly speaking, eminently religious tone. The motive power of his life is to do whatever will redound to the glory of God and the good of humanity. He may err in his view as to what will accomplish this, but there is no error in his aim. He is a great art student, familiar with the best Italian literature on the subject, and a critic of the beautiful. His cultivated taste in art elevates and refines his literary tastes, and this, combined with his intimate and extensive study and acquaintance with classical literature, make him one of the best literary men and critics of his time. In public life he has, from his earliest career, shown a strong love of power. This is both a weakness and a strength, but it is the natural accompaniment of men endowed with such rare talents trained by such discipline and culture. For sheer force of intellect, earnestness of purpose, indomitable industry and perseverance, as well as versatility of attainments, he will unquestionably stand out in history as one of, if not the, foremost man of his time. He is as fine a type of the real old gentleman as can be seen, amiable and attractive in private life, with an inexhaustible flow of conversation, interspersed with deferential interrogations, which attract and draw out the hearer, and make him at all times and at all places the admired centre of attraction. He is hospitable to a fault, homely in his habits, an indulgent parent, a devoted husband, and altogether such a man as we are not likely soon to "look upon his like again."

R. C. MUNRO-FERGUSON.

IN 1886, when Mr. Gladstone, having been elected both for the Leith Burghs and Midlothian, preferred to sit for the latter constituency, the Leith Burghs Liberal Association set about the selection of a candidate to represent the constituency, and on 16th July 1886 the Executive of the Association recommended Mr. Munro-Ferguson of Novar. The General Committee unanimously adopted the recommendation, and Mr. Munro-Ferguson became the chosen candidate of the Liberal Association of the Burghs. The campaign thereupon commenced. Mr. Jacks, the former member for the burghs, Mr. Donald R. Macgregor, also a former member, and a Mr. Munster, were all nominated, and went to the poll. The result was declared on 20th August, and was,—

Munro-Ferguson	.	.	.	4204
Macgregor	.	.	.	1528
Jacks	.	.	.	1499
Munster	.	.	.	3

The Fergusons of Raith, in “ye Kingdom of Fife,” have possessed the estate from which they derive their designation since the death of the first Earl of Melville in 1707, to whom it belonged. William Ferguson of Raith, the first proprietor, married Jane, daughter of Randal Crawford, Esq., of Restalrig. His eldest son, Robert, born in 1767, succeeded to the estate. He entered the Faculty of Advocates in 1791, but never practised. He was sent to Parliament as Member for the County of Fife in 1806. His parliamentary services were not continuous, but he was successively returned for the Kirkcaldy Burghs at the elections of 1831, 1832, and 1837. In 1835 he represented the county of East Lothian as a matter of expediency, during the Peel Administration of that period. Mr. Ferguson was justly considered one of the best and safest politicians in the country. Mr. Ferguson, dying without issue, was succeeded by his brother, Sir Ronald Ferguson, M.P., G.C.B. This gallant officer, who was born

in 1773, entered the army, and served his country with distinction in almost every quarter of the globe, particularly in the Peninsula. Sir Ronald afterwards for many years represented the Kirkcaldy District of Burghs in Parliament. In 1830 he was elected for Nottingham, for which town he continued to sit till his death. In 1832 he took a prominent part in the passing of the Reform Bill. Sir Ronald married



From photograph by Messrs. J. Horsburgh & Son, Princes Street, Edinburgh.

Jean, daughter of General Sir Hector Munro, K.C.B., of Novar, representative of an ancient Highland family, and also a distinguished soldier. Colonel Robert Munro Ferguson, J.P. and D.L., the first heir to the conjoined estates of Raith and Novar, was born in 1802, and on the death of his father, 10th April 1841, succeeded to the Raith estates. In the same year he was elected M.P. for the Kirkcaldy Burghs, a position which he held until his resignation in 1862. In 1839 he

married Emma, daughter of James Henry Mandeville, Esq., of Merton, Surrey. He succeeded to the Novar estates on the death of Hugh Andrew Munro in 1864, and died 1868.

Novar, the present proprietor, Ronald Crawford Munro-Ferguson, was born on 6th March 1860, and in his eighth year succeeded to the estates on the death of his father. He had the advantage of excellent tutors, and his education was



From photograph by Messrs. J. Horsburgh & Son, Princes Street, Edinburgh.

such as eminently fitted him for the high station he was to occupy in after life. At the age of fifteen he joined the Fife Light Horse, and afterwards became captain of the company. Mr. Ferguson, in 1879, passed among the first at the competitive examination for the Army. In 1880 he entered the Grenadier Guards, and was a favourite with both officers and men. After five years' service, he left the Army to devote himself to politics and the care of his estates.

In the business of the county, in which he is a Deputy-Lieutenant, Mr. Ferguson has always taken a deep and practical interest, and is ever ready to give his assistance to all schemes for the public weal.

At a very early age the young Laird of Raith and Novar came to realise that property has its duties as well as its pleasures, and by his kindly dealing very speedily won the esteem and respect of his numerous tenants. The whole community shares his liberality, and were his example followed by other proprietors, there would be no need for an Access to Moors and Mountains Bill.

Mr. Munro-Ferguson was married to Lady Helen Hermione Blackwood, eldest daughter of the Marquis of Dufferin and Ava, on 31st August 1889. On the occasion he was the recipient of numerous presents. His constituents in the burghs gave him a china dessert service of thirty pieces, bearing the arms of Munro and Ferguson, and of the Burghs of Leith, Musselburgh, and Portobello, and also hand-painted local views in these burghs; an afternoon egg-shell china tea service, hand-painted; and silver-mounted oak tea tray, made of wood taken from the old Council Chambers of Lennox, Mar, and Morton, situated in Leith.

Mr. Ferguson began his parliamentary career in 1884, when he contested the county of Ross in room of Sir Alexander Mathieson, retired. He was opposed by Allan R. Mackenzie, Esq., yr. of Kintail, and Dr. Macdonald, but was returned by an overwhelming majority. He met with a hearty welcome. In a short time he proved himself a sound, well-informed politician, who could be of great service to the Liberal party and his constituency.

At the general election of 1885 he was again opposed by Dr. Macdonald, and, although Novar was unsuccessful, the manner in which he conducted the contest won for him universal respect. Mr. Ferguson fought a brave fight in Dumbarton against Mr. Orr-Ewing, Conservative, who had held the seat since 1868, only losing the victory by 32 votes. It was then that a proposition to invite him to stand for these burghs in the Liberal interest was made. During the

period of his absence from Parliament, after losing his seat in Ross-shire, he was selected by Lord Rosebery to act as his Private Secretary at the Foreign Office, and, down to the time when he was elected for the Leith Burghs, he enjoyed the inestimable privilege of being Secretary to the Minister in charge of the Foreign Affairs of Great Britain.

Mr. Munro-Ferguson sat in Parliament for the Leith Burghs from 1886 down to the dissolution in 1892. He was a constant supporter of the Liberal party, and held a pretty prominent position in the party, both as a speaker and an adviser. For a time he acted as assistant Whip to the party, but he disliked the trammels of officialism, and gave up the office. In his parliamentary duties he was most attentive; to his constituents he has been ever ready to forward their interests, while his gentlemanly, courteous bearing commends him to all classes, and he is deservedly popular.

When the dissolution arrived, Leith, Musselburgh, and Portobello unanimously adopted the sitting member, Novar, as their candidate. The Tories and Unionists adopted Mr. William Bell, who came from England, settled down at Trinity, and began to nurse the burghs about eighteen months or a couple of years before. The election was fiercely contested; the Unionists thought they would put their man in—the more sensible and moderate thought that the Liberal majority would be reduced to a hundred or two. The Radicals knew better—their returns were reliable. The night before the election, their agent told them their majority was assured to be from 1300 to 1500, and to make no mistake the figures were put in writing, placed in an envelope, and sealed up. When the figures were announced—Ferguson, 5738; Bell, 4095; Liberal majority, 1643—the largest crowd ever assembled in front of the High School cheered and re-cheered to the echo. The horses were unyoked from Novar's carriage, which was dragged half-way up Leith Walk.

At the general election of 1895, Mr. Munro-Ferguson was again returned by an overwhelming majority for the burghs against Mr. John Wilson, of Edinburgh.

THE PROVOSTS OF LEITH.

PROVOST WHITE.



THE Burgh of Leith only obtained the right to elect Provost, Magistrates, and Councillors by the Municipal Reform Act of 1833. The election was appointed to take place on Tuesday, 5th November 1833, and Mr. Adam White was one of the four Councillors elected for the First Ward. At the first meeting of the newly formed Council, on 12th November 1833,

the Councillors unanimously made choice of Adam White, Esq., to be Provost. Adam White was born at Gifford, East Lothian, about 1760. It is not known exactly when he came to Leith, but his education could not have been very extensive, as he must have entered on the business of his life at a very early age. He got a present of £50 from an aunt, and commenced business on his own account at the age of fifteen. His firm was latterly known as Adam White & Co., but had originally been Fraser & White, and was then in the cooper and herring curing business. The firm of Adam White & Co. for a long period traded extensively in tar and butter, sheep-smearing materials, and was well known to all North and South stock farmers and graziers. It was as an importer of Baltic produce that Mr. White made the greater part of his fortune. Mr. White was long a shareholder and director of the Old Leith Banking Company. He was also one of the original shareholders of the Commercial Bank, and a director for many years, up to the day of his death. He, along with Mr. Wyld, was charged with the management of the Leith branch discounts and accounts, along with the agent. He was also a director in many of the shipping companies of Leith, and the Leith and Hull Shipping Company named one of their ships after him, the *Adam White*. Mr. White was a contemporary in Leith of the late Sir John Gladstone, of Fasque, before he went to Liverpool. His portrait, which was publicly subscribed for, hangs in the hall of the Leith Municipal Buildings, and is a very good likeness. He was offered the honour of knighthood by the Liberal Government of the day, but declined. Mr. White died on 31st December 1843, aged eighty-three. He was married, and had four sons—James, Alexander, Robert, and John; and three daughters—Mrs. Spence, Mrs. Oliver, of Lochend, and Mrs. Grey. James succeeded his father in business, which afterwards was taken up by Mr. Adam White Spence, and is now carried on by Mr. Oswald Moir, a son of Delta, under the firm of White, Moir, & Co. Provost White, of whom it may be truly said that he was the architect of his own fortune, united all the qualities requisite for making a good citizen and

an upright man of business. Cool, calculating, and sagacious, he arrived, by unwearied industry, patience, and frugality, at the high place he so long held, of being at once the first and the oldest merchant of the town. In his public character as Magistrate and first Provost of the Burgh he displayed great forbearance, tact, and urbanity. In municipal matters his influence lay in his going direct to the point of a subject, and in his quickness of judgment, for he was no speaker. No man supporting Liberal politics ever was more esteemed and respected by those who held opposite views. Politics in the early days of the century were the cause of much wrangling in Leith. But Provost White, while he took a very prominent part in promoting the Liberal cause, was always tolerant and conciliatory. He was long an elder in the Church of Scotland, but towards the end of his life he gave his sympathies and contributions to the Free Church, as being, in his opinion, more largely composed of the evangelical party.

PROVOST JAMES REOCH.

JAMES REOCH, born at Leith on 6th November 1768, was the son of James Reoch, of Banffshire. In 1782 he was apprenticed to Charles Cowan, merchant, in Leith; and in 1787, when his apprenticeship with Mr. Cowan expired, the latter agreed to allow him £20 per annum, besides bed and board, and a few years later he became partner. In 1796 he married Isabella Cowan, daughter of his employer. The late Alex. Cowan, Esq., papermaker, Penicuik, father of Charles and James Cowan, both of whom were M.P.'s for Edinburgh, and John (now Sir John Cowan of Beeslack), was his brother-in-law. James Reoch's family consisted of three sons and three daughters. Only two of his family were alive at the date of his death in 1845. In 1797 Mr. Reoch was made a Burgher and Guild Brother of Leith, in right of his wife, Isabella Cowan. In 1803 he was appointed Quarter-

master to the Royal Leith Volunteers, by His Majesty George III.

In the same year, on 29th June, he was admitted a member of the Company of Merchants in the City of Edinburgh. In 1818 his eldest son, Charles, died. In 1822 he was in communication with Sir Walter Scott with regard to the landing of His Majesty George IV. at Leith, and at the landing of His Majesty was among the first to receive him.



With regard to the address presented to the King by the inhabitants of Leith in 1823, he received the following letter from Sir Robert Peel:—

Whitehall, 13th Sept. 1823.

Sir,—I have had the honour to receive the loyal and dutiful address to His Majesty of the Magistrates, Ministers, and inhabitants of the town of Leith, transmitted to me in your letter of the 16th of last month, and having laid the

same before the King, I have the satisfaction to acquaint you that His Majesty was pleased to receive the same in the most gracious manner.—I have the honour to be, Sir, your most obedient, humble servant,

ROBERT PEEL.

James Reoch, Esq., Senior Magistrate, Leith.

For many years he was a director of the Edinburgh and Leith Shipping Company, and in 1825 was chairman of the Leith Gas Light Company. In the same year he became a director of the National Bank of Scotland, and succeeded John Macfie, of the Merchant Company, as Vice-Chairman of the Board of Directors of the National Monument. In 1833 his eldest daughter, Marjory, died. He was second Provost of Leith, and occupied that honourable position from 1839 to 1845. In 1840 his wife died, and in the following year his second daughter, Margaret. In 1843 he sustained the loss of his second son, who was drowned when within nine days' sail of Hobart Town. In 1841 he took the leading part in promoting the dinner given by the inhabitants of Leith to Mr. John Gladstone, of Fasque, who had presented to Leith the church and manse of St. Thomas at Sheriff Brae, with the schools and asylum attached.

In 1841 he received a presentation of plate from the inhabitants of Leith. He received the Queen and Prince Albert when they visited Scotland in 1842. On retiring from the Council on 7th November 1845, he received a highly complimentary and deserved address from the Town Council.

For a long series of years he was at the head of everything for the good of the town. During a long life of honourable industry the interests of the Port were uppermost in his thoughts. As a magistrate, he was calm, impartial, and dignified; and as a member of the Police Board, where he had long held a seat, his attention to the regulation of the town was constant and active, and now he retired into private life with the good wishes of all the community. He died on 22nd November 1845, at his house in Hope Street, Leith, and was buried in South Leith Churchyard. Leith will long remember him, both for his public services and private worth.

In him the widow, the orphan, and the friendless had indeed lost a friend. His was not the charity "Go, be warmed and clothed," for whenever the heart dictated the necessity the hand was ready to distribute the aid, and all his public as well as hidden actions of benevolence were done without ostentation or even common display. A monument to his memory was erected by the inhabitants of Leith in South Leith Church, and tributes were paid by the various public bodies with which he was connected.

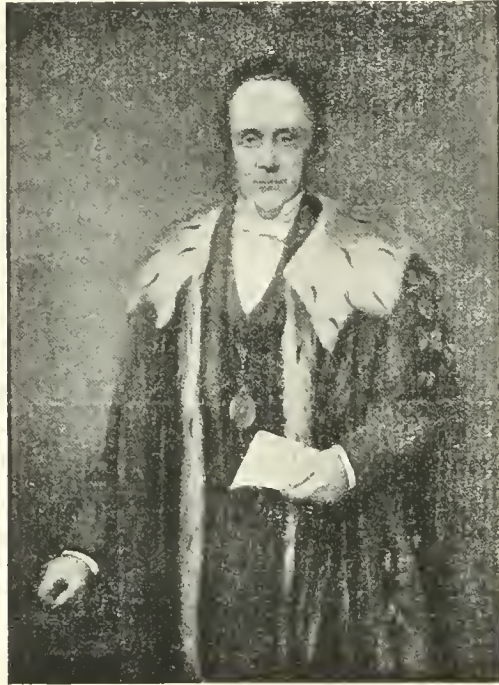
PROVOST THOMAS HUTCHISON.

THOMAS HUTCHISON was born at Kinghorn, Fife, in 1796, where his father, James Hutchison, had some small property. The Provost came to Leith as a young man early in the present century, and entered business with the firm of Messrs. George Young & Co., wine and spirit merchants, Constitution Street, who were also proprietors of the Grange Distillery. He shortly afterwards became a partner of the firm, and when he retired from it about 1825, he founded the still existing firm of Hutchison & Co., now one of the oldest established wholesale wine merchant businesses connected with the burgh.

When Leith received a Town Council under the Municipal Reform Act in 1833, Mr. Hutchison stood as candidate for the First Ward, but an equal number of votes having been given for Mr. Mathie and Mr. Hutchison, a new poll was necessary between those gentlemen, when the former was returned by a majority of nine votes. In 1838, however, Mr. Hutchison was elected as the representative of the Third Ward, and sat as Councillor till 1843, during which period he also became one of the Magistrates of Leith.

In 1842, upon the first occasion of Her Majesty's visiting Scotland, the steamer with the Royal party on board dropped

anchor at a very early hour in Leith Roads, and a messenger was at once sent ashore to intimate to the Provosts of Edinburgh and Leith the intention of the Queen to land at Granton at six o'clock A.M. The messenger seems to have been conducted first to Bailie Hutchison's house in Bernard Street, which he reached about two A.M. The Bailie sent the messenger on to give the official information to the Provost, who



then resided at the Links; and he at the same time despatched his servant to rouse the other Magistrates, and got his carriage ready to drive them to Granton, where Her Majesty was to land. By his expedition the honour of receiving Her Majesty on landing fell to the Provost and Magistrates of Leith; and the late arrival of the civic dignitaries from Edinburgh is already matter of history, and was at the time amusingly satirised in verse.

In 1843, Mr. Hutchison retired from the Council, re-entered it in 1845, and, on the resignation of Provost Reoch that year, he was chosen Provost, which office he held for the following three years. At this time a renewal of the so-called Chartist riots threw society into a most disturbed state, and the unruly mobs, daily and nightly assembling in Edinburgh and Leith, disquieted the community in a way happily unknown to us since. To meet any emergency, a large number of special constables were sworn in. The entire absence of any damage to property in the burgh, similar to that which occurred in Edinburgh, was at the time attributed to the rare tact and forbearance, as well as firmness, of the Magistrates of Leith, exhibited under very trying circumstances.

In all matters connected with the Port of Leith, Provost Hutchison took the keenest interest, and gave very valuable aid in preparing the way for many of its later improvements. During his term of office "The Abolition of Petty Customs Bill" was introduced into Parliament, but owing to the threatened opposition of the Town Council of Edinburgh, the Leith Dock Commission, and others, it was withdrawn at this date, on 2nd May 1846. In 1847 a Bill was promoted for "Amalgamating the Public Trusts," and in September 1848, the "Municipal and Police Bill" effecting these objects was passed into law. He was mainly instrumental, with the able assistance of the Member for Leith of the day—Lord Rutherford—in getting the Act of Parliament passed for the extension of the East and West Piers. On 31st May 1847 he had the pleasure of hearing it reported at the Council meeting that the "Leith Dock and Harbour (Alteration of Rates) Bill" had passed into law, and on 26th February 1847 he submitted tables of rates as remodelled by himself, which were approved of. On 12th November 1847 the Leith Town Council, on his representation, petitioned in favour of the North British Railway Company's Bill for a line to Leith, which was carried out to the great advantage of the burgh. To obtain several of these Acts of Parliament very great difficulty was experienced, the opposition of Granton was strong against the Piers Bill, and the jealousy of Edinburgh as to

several of the other matters was a serious obstacle. Having to cross the Links daily from his residence at Hermitage, naturally their improvement caught his attention, and it was at this time that the wide, open ditches running across the Links were covered over and filled up, and the way prepared for further improvements. He also took great interest in all educational matters, and particularly in the High School of Leith, at which all his sons received their early training.

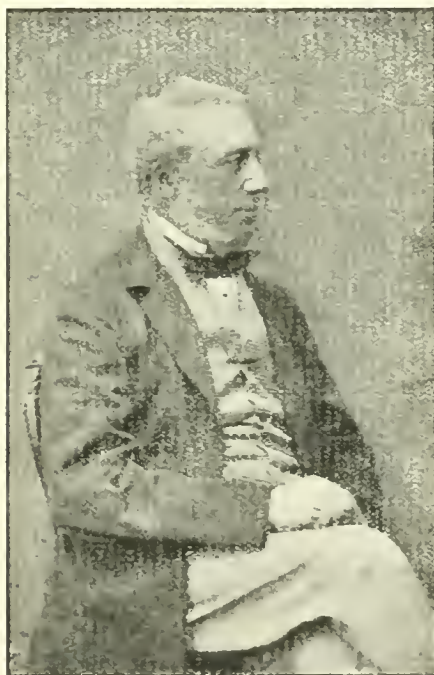
Provost Hutchison was appointed one of the trustees for the restoration of South Leith Church, which had at that time fallen into a state of great dilapidation, and in connection with this work he took an active part in the erection in the church of a very handsome public monument to his predecessor in office, Provost Reoch, alongside of which may now be seen a beautiful memorial window to himself, inserted some years ago by his family.

Provost Hutchison's exceptionally good business ability and sound judgment were recognised, and all who sought his advice and help were never disappointed. He served as a Leith Dock Commissioner, was one of the directors of the Commercial Bank of Scotland, and also one on the Board of the Life Association of Scotland. He bought the property of Carlowrie, in West Lothian, in 1850. He died at Hermitage House in May 1852.

Mr. Hutchison was survived for many years by his widow, Jane, daughter of Robert Wylie, of Rosebank, in Perthshire, and niece of Sir James Wylie, Bart., the well-known physician to the Emperors Alexander and Nicholas of Russia. Four sons also survived him, the eldest of whom, Robert, died in 1894, after a very active, busy life. Scientific, and especially antiquarian and arboricultural, researches chiefly interested him. He contributed several papers to the Royal Scottish Arboricultural Society, of which he was elected President. To the Highland and Agricultural Society—of which he was a Director—he regularly submitted reports and articles of great interest, for many of which he received the Society's premiums. He was a director of the National Bank of Scotland, and also of the Scottish Union and National Insurance Company. He

was the first Chairman of the Edinburgh Tramway Company, in the promotion of which he took a very active share. His eldest son, Thomas, is now a partner along with two uncles in the firm of Hutchison & Co.

PROVOST GEORGE ADINSTON M'LAREN.



GEORGE ADINSTON M'LAREN, Esq., of Thornhill, son of John M'Laren, corn merchant, Leith, and Agnes Adinston, daughter of George Adinston, Esq., of Carcant and Borthwick Hall, was born in Leith in 1801. For many years he conducted a highly successful business as a wine merchant in the burgh.

He was emphatically an honest man, and ever bore himself as a person of the strictest honour.

Mr. McLaren possessed a very thorough knowledge of the Excise Laws, having mastered them in their most minute details, and on any point was able to give an opinion which was almost invariably sound. Through his exertions the vexatious system of stock-taking, which caused so much trouble and annoyance to small traders, was abolished, and it is well-known to many connected with the wine and spirit trade that Mr. McLaren, in accomplishing this reform, displayed a vast amount of knowledge, a rare tact, much controversial skill, and a resolute determination, which were most deservedly crowned with success. Mr. Wood, the late secretary of the Board of Excise, found in him a most formidable opponent, and those who witnessed their encounters respecting this question, say that Mr. McLaren not only held his own with him, but on every disputed point was victorious.

In politics he was a decided and consistent Liberal of the old Whig type, and was for many years chairman of the Leith Liberal Committee. Under the old system of the nomination of candidates for a seat in Parliament, he was uniformly called upon to propose the Liberal candidates.

From 1848 to 1851 he was Provost of the Burgh, and discharged the onerous duties that devolved upon him in a satisfactory manner. It fell to him to carry out the provisions of the new Police Act for the Burgh, obtained in 1848. He was also for many years a valued and respected member of the Mercantile Marine Board. For more than a quarter of a century he was chairman of the South Leith Parochial Board, in which position he did much good work, exerting himself greatly to keep the expenditure within moderate limits, while, at the same time, he was very solicitous to relieve all who were deserving subjects. About 1879 he resigned his chairmanship owing to failing health, much to the regret of the Board. He was also for a long period the representative of the South Leith Parochial Board at the Royal Edinburgh Asylum; and so well did he perform his duties that, though he several times wished to retire from that

position, the Board entreated him to continue, which request, acting on the principle of self-sacrifice for the good of others, which constantly actuated him, he agreed to comply with.

On all subjects which he discussed he had clear and matured opinions, showing that he had mastered the details of the question, but at the same time he took a comprehensive grasp of the matter, and was able to look at it from various points of view. He was free from all narrow-mindedness and prejudice. As evidence of his clear-headedness in business, as well as his judicial fairness and impartiality, it may be mentioned that he was frequently asked by business men to arbitrate in disputed matters, and that his decisions were generally so satisfactory to both parties that a large amount of litigation was avoided. In all his proceedings, both in a public and private capacity, whenever he had made up his mind to a certain course of action, he, notwithstanding all obstacles, undauntedly pursued it. Those who knew him most intimately, loved him best. He died at his residence in Royal Circus, Edinburgh, on 9th March 1881, at the advanced age of eighty. He married Miss Helen Borthwick, daughter of John Borthwick, Esq., of Crookston. He had no children. He was all his life a zealous member of South Leith Parish Church.

PROVOST ROBERT PHILP.

MR. ROBERT PHILP was born in Fife, and came to Leith somewhere about 1825. He entered into business as a block-maker in North Leith, and, being a man of considerable ability, he was not long in establishing a large business, which he carried on for many years with great success.

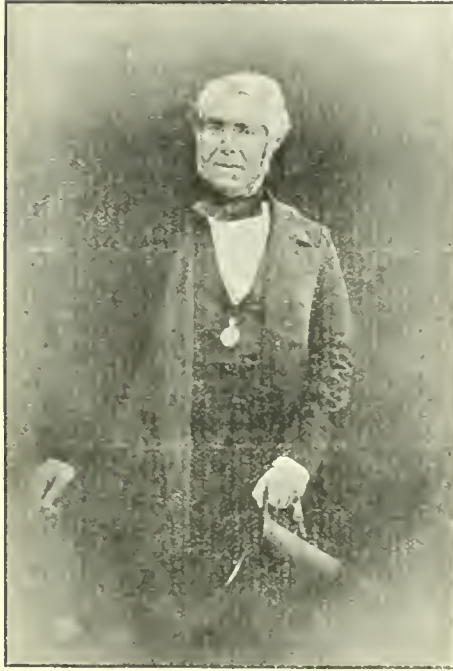
His talents were soon seen and acknowledged by his fellow-townsmen, and in November 1836 he was elected a Town Councillor, and two years later he was made a Bailie. In 1839 he was again elected, but this time declined the honour, and it is not till 1845 that we again find him among the

Leith Councillors. In 1845 he sent in to the Town Council an account for deputation expenses in connection with the Edinburgh and Leith Agreement Bill. Two-thirds of the original charge for this deputation had already been paid by the City of Edinburgh. The Leith Council, however, refused to allow his claim. In 1848 he resigned his office, but in 1851 he again entered the Council, and was elected Provost.

During his term of office there arose a great discussion about the erection of drying-poles on Leith Links. The question subsequently formed the subject of a litigation, when the Court ordered them to be removed. In March 1852, when the Leith Town Council proposed to petition against the abolition of the University Tests, Provost Philp moved an amendment, which, however, was lost. Although a Liberal in the early days of his public career, during his Provostship he displayed a leaning towards Conservatism, and, at the general election which took place this same year, 1852, he sided with those who opposed the re-election of Lord Advocate Moncreiff, and supported the rival candidate, Mr. Henderson, a regular Tory. In November 1853 the Town Council presented a memorial in favour of the institution of the office of Secretary of State for Scotland, which, after much agitation, we have seen effected. During the same year a proposal was made for the purchase of the Links, which was thereafter acquired. In February 1855 a proposal was laid before the Council to establish Industrial and Reformatory Schools—a proposal which has since been carried into operation with most beneficial results. These are the chief items of public interest which were brought before the Council during Mr. Philp's term of office.

In 1855, Mr. Philp was charged and convicted of using lewd, indecent, and libidinous practices towards girls under age, and was sentenced to a long term of imprisonment. He was liberated a considerable time before the expiry of his sentence, but finding himself shunned by all, he withdrew from public life altogether. The last years of his life were spent at Corstorphine, where he died somewhere about 1887.

PROVOST JAMES TAYLOR.



MR. JAMES TAYLOR was born in Leith about 1800, in comparatively humble circumstances. He received his early training in a merchant's office in that town.

On completing his apprenticeship, and while still young, he established an extensive business in the corn trade as the active partner in the firm of Taylor, Bruce, & Co., still continued under the name of Bruce, Boyd, & Co. In course of time, in consequence of his recognised business capacity, he became associated with various financial companies, among which were the Caledonian Railway Company, the National Bank of Scotland, the Scottish Union and National Assurance Company, and the London and Edinburgh Shipping Company. With the exception of the first mentioned, he was a member

of the respective Boards of Directors of these companies at the time of his death. He only severed his connection with the Caledonian Railway Company a few months before his death. He was also chairman of the directors of the London and Edinburgh Shipping Company, and out of respect to him the company named one of their steamers *Starley Hall*, the name of his residence near Burntisland.

In 1855 he entered the Town Council as one of the representatives of the Second Ward. On 9th November 1855 he was elected Provost. About this time the Members for the Burgh began to transmit public Bills introduced into Parliament for the consideration of the Council. In February 1856 the Council resolved to petition against the Edinburgh Water Company's Bill, with the result that in May the company agreed to give Leith water free for public and sanitary purposes. About this time the City of Edinburgh objected to give Leith a title to the old market, because that burgh had failed to pay the claim made for commutation money in lieu of the City Customs. In June of that year the Council agreed to level a portion of the Links for cricketers, and to form a bowling-green at the Links, for which certain rules were framed and adopted. In July 1856 the title to the Links in favour of the Council was laid before a meeting, and the Town-Clerk instructed to complete the town's title by infeftment.

In November 1858, Provost Taylor was re-elected Provost, and shortly thereafter the Council resolved to petition Parliament on the Redistribution of Seats Bill, to disjoin Leith from Musselburgh and Portobello.

During the year 1860, in consequence of his numerous engagements, Provost Taylor was frequently absent from the meetings, and on 29th September he sent in his resignation. The Council recorded their deep regret that Provost Taylor had found it necessary to retire from office, and the high sense which they held of the valuable services which he had rendered during the time of his holding office as Provost. Under his presidency the business of the Council was transacted with a despatch which contrasts strongly with present day practice.

The meetings were, as a rule, begun and finished in the space of about fifteen minutes. Having retired from the Council in 1860, and his services being much in request by the companies with which he was associated, he about the same time withdrew from the commercial business with which he had long been connected, having amassed a considerable fortune.

Mr. Taylor throughout his life took an active interest in the Volunteer movement. He was unmarried, a Conservative in politics, and an elder in Greenside Parish Church, being also for many years a member of the General Assembly in the capacity of representative elder for Burntisland. He died at Edinburgh on 18th February 1890, at the advanced age of eighty-nine years.

PROVOST WILLIAM LINDSAY.

WILLIAM LINDSAY was born in Coburg Street in 1819. His father was long a well-known shipmaster, and brought up a large family, of whom the subject of this notice was the seventh. At an early age he was articled to the late Mr. Alexander Simson, S.S.C., Bernard Street, and having spent some time as a leading assistant in the office of Mr. Baxter, W.S., Edinburgh, he entered into business on his own account in Leith, having previously become a member of the Society of Solicitors to the Supreme Courts. When Lord Moncreiff, then Lord Advocate, became M.P. for Leith in 1851, Mr. Lindsay was his agent in the Liberal interest, and he likewise acted in the same capacity for Mr. Miller, M.P., afterwards Sir William Miller of Manderston.

The business of solicitor he conducted for many years with characteristic integrity and skill, while at the same time he maintained a connection with the mercantile affairs of the town by acquiring an interest in shipping. This he allowed to some extent to supersede his legal calling, and on the out-

break of the Russian war, he was instrumental in sending out several steam transports to the Black Sea, chiefly for the use of the French allies. He retired from business as a legal practitioner about 1864, but continued his connection as a shipowner and his interest in several public companies. He entered the Leith Town Council during the Provostship of Mr. Taylor, on whose retirement, in 1860, Mr. Lindsay was



elected Chief Magistrate. This office he held for six years, during which period he was the leading spirit in the accomplishment of a vast amount of good practical work. On the occasion of the laying of the foundation-stone of the Corn Exchange, and on that of the visit of Lord Palmerston to the burgh, when that distinguished statesman made his famous speech in the Corn Exchange, Mr. Lindsay bore himself in his high office in a manner which reflected credit upon the

burgh. In 1860, Sir William Miller, Bart., then Member for the Leith District of Burghs, succeeded in inducing the Government to accept of a cash payment in lieu of the large debt which lay like an incubus on the Harbour and Docks of Leith. There can be no doubt that but for Sir William Miller this desirable settlement would not have been made; but Provost Lindsay, Lord Moncreiff, then Lord Advocate, and formerly member for the burgh, and Sir Samuel Laing, M.P. for Kirkwall, etc., then connected with the Government, were of important service to the Member for the Burghs, in helping him with the Treasury and the other departments.

With town improvements Mr. Lindsay's name is most closely associated with the widening of the Tolbooth Wynd, and the removal of the "man trap" beside Leith Fort, over which is now constructed an elegant thoroughfare, which, out of compliment to the Provost, was called the "Lindsay Road."

But it is in reference to his great legal triumph in the projection of the famous "Lindsay Act" that his name has been most widely known, not merely in Leith, but throughout Scotland. Mr. Lindsay, shortly after his accession to the Provost's chair, directed his attention to various improvements which his legal knowledge and experience as a magistrate showed him were necessary to the satisfactory working of the General Police Act of 1850. To the task of formulating these improvements and bringing them before the notice, not only of the Lord Advocate, but also of the authorities in most of the leading burghs of Scotland, he set himself with a zeal and assiduity which were rewarded in 1862 by the passing of the General Police and Improvement (Scotland) Act, which throughout Scotland is better known by the name of the man who framed it. In recognition of his services in procuring for Scotland a measure of such great practical utility, Mr. Lindsay, on the 15th October 1864, was presented, in the Waterloo Hotel, Edinburgh, by the burghs of Scotland, with a magnificent silver epergne, and bust of himself in white Carrara marble by Brodie, to be placed in the Town Hall, Leith, where it now stands. This Act was adopted, and was for long in

general application in most Scottish towns, but in view of the rapid strides of sanitary science, and the increasing population of our large towns, the provisions of this Act in the course of twenty-two years became in a degree antiquated and imperfect. Mr. Lindsay was the first to recognise this to be the case, and diligently set himself to the work of preparing, with the assistance of the Convention of Royal Burghs and the Town-Clerk and assistant Town-Clerk of Leith, such amendments to the Lindsay Act as were necessary. His labours resulted in the presentation to Parliament by the Lord Advocate of the General Police Act Amendment Bill—a measure which, subject to the criticisms and alterations incident to its passage through Parliament, subsequently became law in 1892.

Mr. Lindsay took an active interest in several of the local charities and public boards, and was secretary of the old Charity School. He did not come into so much public notice after his retirement from the Provostship, but continued to take an active interest in anything which was for the welfare of the Port. Mr. Lindsay died on 20th February 1884. He was an elder in South Leith Parish Church, and was for many years the representative elder for the Burgh of Lochmaben. He left a grown-up family of two sons and two daughters, having been predeceased by his wife.

PROVOST JAMES WATT.

JAMES WATT was born in Brechin in 1806. After leaving school he was for a short time employed in the office of a Montrose newspaper, but while still a youth he came to Leith, and entered the office of Messrs. James Wilde & Co., wine merchants. Having there served his apprenticeship, Mr. Watt entered the service of Messrs. J. A. Bertram & Co., wine merchants. In his new sphere Mr. Watt conducted himself in such a manner as to gain the confidence and esteem

of his employers, and he was promoted from being a clerk to the management of the business, a position in which he showed much tact and devotion. He succeeded eventually to the business.

As a business man Mr. Watt manifested thorough straightforwardness and honesty, all who had dealings with him feeling that he was a gentleman of the strictest honour, who would



seem to do a mean or dishonest action, and that his word was as good as his bond.

The ability which he showed in conducting his own business, as well as the public spirit and desire for the prosperity of the town which he manifested, caused his fellow-citizens to request him to take part in the management of municipal affairs. Accordingly, in 1863, he entered the Town Council as the representative of the Second Ward, which he continued

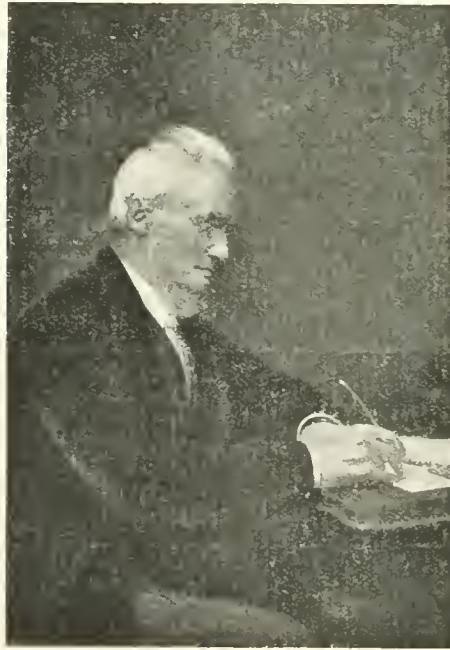
to represent for fifteen years. Immediately after he became a member of the Council, Mr. Watt was elected a Magistrate by his fellow Councillors, which office he held for six years. On the retirement of Mr. Lindsay from the Provostship in 1866, Mr. Watt was unanimously elected Provost. Mr. Lindsay having effected many improvements in the town, especially of a sanitary nature, the same policy was pursued by Mr. Watt. Every proposal for the improvement of the burgh was actively pushed forward by him, and during his tenure of office Burgess Street was opened up, the drainage of the town extended and improved, and the paving of the streets put in better condition. He in 1867 supported the claim of the community for the repeal of the Fire Insurance Duty. He formed one of the deputation from Scotland for increased representation for Scotland, and in 1869 he went to London along with Bailie Steven as a deputation to obtain a representative in Parliament for Leith itself. Mr. Watt was a strenuous supporter of the St. Mary's Loch Scheme, and subsequently aided in promoting the Midlothian Scheme, which proposed to bring a supply of water from the river Manor. While he held office as Provost, the Albert Dock was opened by him, 21st August 1869, and he was appointed to take the chief part in the whole ceremony. In September of that year he supported a proposal to build another of Bell's Schools in the burgh, which was opened by him in September of the following year. In November 1869 he was unanimously re-elected Provost. In February 1870, on his instigation, a list of the properties which should be dealt with under the Artisans' and Labourers' Dwellings Act was prepared, and the foundation laid of the future improvement scheme. In that year he supported proposals for a new General Police Act, increased postal and telegraph facilities, additional railway accommodation, the introduction of the trainways between Edinburgh and Leith, and the improvement of the defences of the Firth of Forth. On Friday, 16th August 1872, Her Majesty visited the Albert Dock, when Provost Watt had the honour of receiving and being presented to her. In November 1872 he was for the third time unanimously re-elected Provost.

When Mr. Watt retired from office in November 1875, he was awarded a vote of thanks by the Council for the time and attention which he had bestowed on the duties of office. The inhabitants of Leith considered, however, that this was inadequate for the valuable services he had rendered to them for so long a period, and they resolved to present him with a testimonial as an expression of their gratitude and respect. A considerable sum of money was subscribed throughout the town and surrounding district, and a very handsome service of silver plate was purchased for presentation. At a public dinner in Edinburgh, at which Mr. D. R. Maegregor presided, Mr. Watt was presented with this valuable gift.

On his retirement from the Provostship, Mr. Watt was elected a member of the Dock Commission by the Town Council, and in the proceedings of that body he took an active part. From the passing of the Scotch Education Act in 1872, down to the time of his death, Mr. Watt held the position of chairman of the Leith School Board, and did a great deal for the advancement of education in the burgh. For several years he was a member of South Leith Parochial Board, and for many years he was chairman of the Edinburgh and Leith Gas Company. He was a member of the Edinburgh District Water Trust for some time, and was likewise a director of many other companies. From the formation of the Leith Liberal Committee, Mr. Watt acted as chairman. He was all along a sound Liberal, and in the electors of Mr. (afterwards Sir William) Miller and Mr. Grant he was very active. He took a deep interest in the Leith Hospital, as well as in the management of Watt's Hospital, and all the charitable institutions of the town found in him a steady supporter. For more than thirty years he was an elder in North Leith U.P. Church, took an active part in managing its affairs, and was a firm friend of the late Principal Harper, its pastor. Some years before his death, on 22nd December 1881, Mr. Watt met with sore domestic affliction in the deaths, successively, of two of his sons, one of whom was Spanish Consul in Glasgow. He was survived by his widow and one son, Mr. James Watt, who carries on the business. In his private life Mr. Watt was

a true and firm friend, who could be relied upon to stand by and assist those whom he esteemed. Some time ago his son presented a portrait of his father to the Town Council, who accepted the same and placed it in the Council Chamber.

PROVOST HENDERSON.



JOHN HENDERSON, M.D., F.R.C.S.E., was born near Jedburgh in 1818. At fourteen he matriculated at the University of Edinburgh, and studied there for four years. He then went to reside in France, and was engaged there for several years in literary work. On his return home he commenced the study of medicine and surgery in Edinburgh, and after one

year's attendance at the classes there, went to Paris, at that time considered one of the best medical and surgical schools of the day. After obtaining his diploma in 1845, he was asked to become assistant to Dr. Coldstream, of Leith, who had been laid aside by severe illness, and agreed to the proposal. When Dr. Coldstream recovered he removed to Edinburgh, and Dr. Henderson then settled permanently in Leith.

He soon acquired a large practice among the poorer classes, had a district under the South Leith Parochial Board, and attended a portion of the out-door patients of the Leith Hospital and Dispensary, of which institution he was a Medical Officer for more than forty years, and on his retiring was appointed one of its consulting physicians. It was what he saw, and the complaints he heard in the course of his attendance upon them, the insanitary state of the houses and their surroundings, and the great mortality of the districts in which very many of these unfortunate people were compelled to live, that made him resolve to endeavour to improve their condition in these respects. It was found, however, that nothing very satisfactory could be effected unless one of the medical men in practice in the town would come into the Council. Coinciding fully in this opinion, he, in 1871, endeavoured to get one or other of his medical brethren to consent to do so, but without success, and he very reluctantly allowed himself to be nominated. He was elected as a representative of the First Ward, and soon afterwards a Public Health Committee of the Council was formed, of which he became convener.

Among the first projects undertaken was a house-to-house visitation of all the streets inhabited by the working-classes, and continued year by year, till almost every house in the burgh had been inspected. Very little, however, could be done till 1875, when the "Artisans' and Labourers' Dwellings Act" was passed. In that year Provost Watt retired from the chair, and Dr. Henderson was elected his successor in November 1875. The Council at his instigation set about framing an improvement scheme for Leith,—first an extensive

scheme was proposed, including nearly all the insanitary property in Leith, but that was thought by the Council to be too costly a proceeding, and one of more moderate dimensions was prepared. Both were, however, considered too large and expensive by the ratepayers. A third scheme, considerably smaller and less expensive, was then presented by him, consisting principally of the formation of one street, running through the unhealthy areas. This was approved by both Council and ratepayers, finally adopted, sanctioned by Parliament in 1880, and is now being slowly carried out.

Meanwhile, the question as to the Roads and Bridges in Scotland was being dealt with in Parliament, and this was a matter in which Leith was deeply interested. In January 1876 the Council petitioned in favour of the Roads and Bridges Bill, and in June 1876 a full report upon how the burgh was proposed to be affected by the Bill, was brought up. In July 1877 the Council agreed to refer the question as to the amount to be paid by the Road Trust to the Lord Advocate. Considerable difficulty was experienced in maintaining the rights of Leith, and Provost Henderson formed one of a deputation to London on the subject. When the deputation arrived, the matter was found to be very urgent, and a memorandum had to be hastily prepared setting forth the rights and claims of Leith, for the information of the Lord Advocate. This was done on the spot by the Provost and the Depute Town-Clerk, and, though prepared and printed in a day, was the best statement of the position of Leith in the matter of roads which had ever been issued. It had the desired effect, and such modifications on the Bill were obtained as satisfied the just rights of the burgh.

The defects of the Police Act of 1862 had been felt a good deal in Leith, and in September 1877 a modified order was obtained, in which, among other matters, the Town Council and Police Commission were amalgamated and formed into one body. The Tramways Company having got a clause inserted in one of their Acts dealing with omnibuses, which they thought entitled them to charge 3d. between Edinburgh and Leith, considerable public agitation and indignation was

caused. Edinburgh declined to take any action, and the Leith Town Council sent one of its officers to Edinburgh; he declined to pay the fare of 3d., and was thereupon sued by the Company. The case was tried before Sheriff Hallard, who decided against the Company. The Company ultimately carried the case to the House of Lords, but were defeated in every Court.

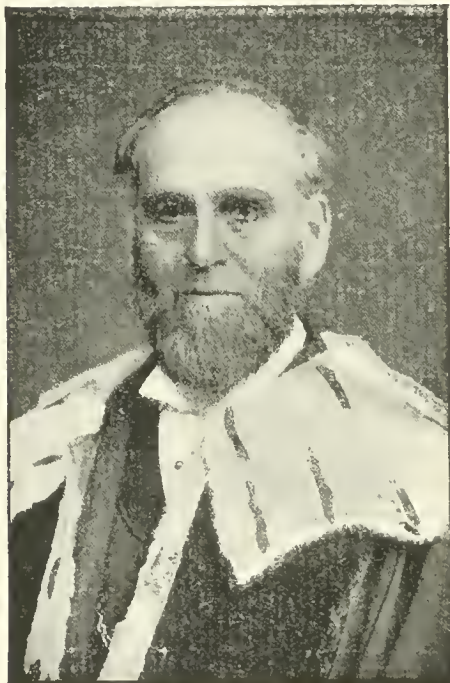
Dr. Henderson was not returned to the Council in 1881, but was shortly afterwards presented by the members of Council and a number of his fellow citizens with a testimonial, and a valuable silver tray, in expression of their high esteem for him, and in recognition of his long and faithful services to the burgh. He was then appointed J.P. for the County of Midlothian, and also for the County of the City of Edinburgh. Two years afterwards he was induced to enter the Council again, and on the death of Provost Pringle was again elected Provost. On the failure of his voice, which for some time had been gradually decreasing in power, he felt obliged in 1887 to retire from office, and from all other public works—such as the Dock Commission and the School Board,—to abandon also the professional work he was so fond of, and seek refuge, during winter, in a milder climate.

During the twelve years he was in the Council, and particularly while Provost, he endeavoured to advance in every way the best interests of the burgh, and never ceased to labour for its sanitary improvement. While he was Provost, and during the illness of the Town-Clerk, the Dean of Guild Court, which has been one of the greatest boons to Leith, was instituted.

Shortly after settling in Leith he became a member of the High Constables, and was one of those who in 1859 joined with others to form the Leith Volunteer Corps, and when his professional services were required, was appointed Assistant-Surgeon, in course of time Surgeon, and at the Grand Volunteer Review by the Queen in 1881 was promoted to the rank of Surgeon-Major, and appointed to take charge of one of the field hospitals. He took a great interest in rifle-shooting, and gained several prizes at Wimbledon. He was one of the

Committee of Management of the Corps for about thirty years, and among the first to receive the Queen's medal for long service.

PROVOST PRINGLE.



JAMES PRINGLE was born in Edinburgh in 1822. He was a son of Mr. William Murray Pringle, who for thirty years held the office of secretary in the Adjutant-General's office, and a similar position in the Naval and Military Academy, which for long existed in the city of Edinburgh. James received his education in the Royal High School, Edinburgh, where he prosecuted his studies with exemplary diligence and

assiduity. He came to Leith about the year 1840-41, and entered the employment of the Edinburgh Roperie Company as junior clerk. His diligence, industry, and perseverance obtained ready recognition in his steady promotion in the office of that firm. After serving for a period in a junior capacity, he was appointed to the position of cashier, the duties of which he discharged with the same satisfaction to his employers as those of his previous station. His abilities were further acknowledged by obtaining an interest in the business, and on the death of Mr James Hay, the enterprising manager of the Roperie Company, he assumed the responsibility of managing that extensive business.

Notwithstanding the heavy exactions which this entailed, Mr. Pringle took an active part in the operations of the various local institutions, philanthropic, municipal, political, and social, and performed the duties in connection with these societies in a conscientious, earnest, and zealous spirit. Nor was he behind in other departments of usefulness. He was among the first who, inspired by enthusiastic patriotism, entered into the Volunteer movement, and did all in his power to promote its development, and awaken a lively interest in its behalf. His interest did not cease when his active connection with the local volunteer corps terminated, but he continued to take a lively interest in its welfare up to the time of his death.

He embarked more prominently on public life about 1880, when he was returned as a representative of the ratepayers to the Leith Dock Commission. In 1881 he was elected to the Town Council, and the office of Provost of the Burgh becoming vacant that year, on him, with unanimous voice, was conferred the honourable distinction. He was a staunch supporter of the Improvement Scheme, and used his influence in favour of all measures affecting the public health and sanitary condition of the burgh. As chief magistrate, he jealously guarded the rights and privileges of the public; and when a proposal to obtain proper authority over the Links, with the view of restoring that neglected common, was made, he was particularly active in securing powers to enable that

vexed question to be effectually dealt with. A Provisional Order was accordingly obtained, which enabled the Corporation to enact by-laws for the regulation of the Links, and which were made and sanctioned during his term of office.

Although it cannot be said that during his municipal life, which extended over a period of five years as Provost, any special local scheme or movement was inaugurated, yet, in the effective performance of the public business which came before the Council he displayed a great deal of energy and tact. In 1883 he strongly supported the public movement to obtain the appointment of a Secretary of State for Scotland, which was subsequently carried out. In 1884 he was re-elected Provost without opposition, and in 1885 he was appointed Deputy-Lieutenant of the County of the City of Edinburgh. In the scheme for the transfer of the gas supply to the two public Corporations, he took an active part. In politics he was a staunch Liberal, and took an active part in everything calculated to promote and spread Liberal principles. He was invited to represent the burghs in Parliament, but the cares of an extensive business, and the unsettled condition of his health, prevented him acceding to the request. He threw himself with energy and hearty vigour into the election of 1886, however, and laboured assiduously to promote the success of the popular cause, and the return of a representative pledged to support the Liberal policy. In that contest he gave his support and influence in favour of the candidature of Mr. Munro Ferguson, who was elected by a large majority. He assisted in the formation of a club for the maintenance and dissemination of those broad Liberal principles which have been long the boast of the parliamentary constituency of these burghs; and after the election, when it was organised as the Leith Liberal Club, Mr. Pringle was elected its President.

Mr. Pringle was able to adapt himself to people in all stations of life. He was naturally of an agreeable, obliging disposition, and always ready to do a good turn to any deserving person or institution. He belonged to the United Presbyterian Church, having held office in Broughton Place U.P. Kirk-Session for many years. He was elected an elder

in 1854, and was also clerk of the congregation from 1868. In the various schemes of the denomination to which he belonged he took a lively and active interest, though his views were not so contracted as to bind him to his own particular sect, but enabled him to interest himself in the affairs of other denominations. Mr. Pringle was also a Fellow of the Royal Society and a member of the Geographical Society of Edinburgh. In 1886 he was seized with an illness known as dry pleurisy, an ailment attended with severe pain and suffering. The brightest hopes, however, were entertained of Mr. Pringle's ultimate recovery, but in October he was seized with an attack of rheumatism. Recovering, so far as to permit a renewal of his public duties, he presided at an immense meeting in the Volunteer Drill Hall on the 22nd of that month, on the occasion of the inauguration of the Leith Liberal Club, and the following day spoke at a church bazaar in the Edinburgh Music Hall, on which occasion it was thought he caught additional cold. These were his last public appearances, for almost immediately thereafter symptoms of the disease to which he eventually succumbed exhibited themselves, and death ensued in December 1886, at his residence, Claremont Park, Leith Links. The remains of Provost Pringle were interred in Warriston Cemetery, in a manner befitting his position as a public man. Mr. Pringle, who was married at the age of 22, had a family of twelve children, seven of whom survive. In April 1878 his eldest son, James Hay Pringle, was killed in the defence of Kokstadt, Griqualand, Africa.

PROVOST AITKEN.



THOMAS AITKEN was born 21st September 1832, at Mount-hooly, in the parish of Dalmeny, Linlithgowshire. His father, Thomas Aitken, was in the service of the Earl of Hopetoun as a forester, a position which he held for twenty-one years. He received his early education at Abercorn School. In 1844 he removed to Edinburgh with his parents, and for two years thereafter continued his education at Dr. Bell's School, Niddry Street, Edinburgh. Having a natural bent for the study of mathematics, in after years his aptitude in this particular branch of education served him in good and profitable stead in the business on which he entered. In 1845 his parents removed to Cherrybank, Newhaven Road, and about three years later took up their abode in the east end of Leith, until

1866, when he purchased the property of Seafield Baths, in which his parents respectively remained until their death.

In September 1846, Mr. Aitken was apprenticed to the late Mr. William Wilson, of Swanfield Mills, Leith, who at that time conducted one of the largest wholesale businesses in meal and flour in the burgh. He remained for nine years in this service, first as apprentice, then as clerk, and latterly as salesman. The late Mr. Wilson was the practical pioneer of the flour milling industry in the town, by erecting, in 1847, the Swanfield Mills at the foot of the Bonnington Road. In November 1855, Mr. Aitken left the employment of Mr. Wilson, and entered into partnership with his brother-in-law, the late Mr. John Wright, as wholesale provision and flour merchant, under the firm of Aitken & Wright, in Charlotte Lane. By dint of energy and perseverance an extensive connection was gradually established, and the business of the firm increased to such proportions as to necessitate the acquisition of larger premises. In 1868 they bought the large warehouses in rear of 66 Constitution Street, together with the house and garden extending back to Quality Street, and on the vacant ground large and commodious premises to accommodate their increasing trade were erected. The great fire of 19th July 1877 destroyed the whole buildings, and threatened for a while to seriously hamper their business. With characteristic promptitude, however, the firm successfully grappled with the situation, and not only managed to direct its affairs with prosperity under the trying circumstances, but opened up fresh fields, and entered into new engagements.

Though necessarily much occupied with the cares and anxieties of business, Mr. Aitken did not neglect the public interests of the burgh. For fourteen years he was a member of the South Leith Parochial Board, where his shrewd, quick business aptitude was much appreciated. His fellow townsmen induced him to stand for the Town Council, which he did, and was returned as a representative of the First Ward in November 1884. In November 1885 he was elected a Bailie, and in 1887 he was elected Provost of the Burgh. Among his first actions as Provost was that of signing the agreement

for the acquisition of the Gas Company's undertaking by the two Corporations of Edinburgh and Leith. In September 1888 a report was brought up on the construction of an additional sewer for the Water of Leith, being the inception of the purification scheme, which was followed by the preparation of a Bill for the purification of the Water of Leith, copies of which were submitted to the Council in December 1888. In February 1889 it was resolved to form North and South Leith into one drainage district, which was subsequently carried out. In September 1889 the Council petitioned Parliament in favour of the Local Government Bill, which was carried into law. In October 1889 the transference of Bell's Schools to the School Board of Leith was effected; and in December 1889 the purchase of Starbank for a public park for the North Leith and Trinity inhabitants was made. During the year 1890 the Provost took a deep interest in the Caledonian Railway Company's Bill, and vigorously protected the interests of the burgh in connection therewith. In November 1890, Mr. Aitken was re-elected Provost, and in May 1891 he made a motion to provide suitable hospital accommodation, which was unanimously agreed to, and afterwards a site at Pilton was acquired in December 1892, and the erection proceeded with. In September 1891 the question as to the acquisition of the Tramways came up, and after fruitless negotiation with Edinburgh, it was resolved not to buy but to lease the tramways. In December 1891 the Dock Commissioners gave notice of a new Bill, and, after arranging that the interests of the burgh were duly recognised, in May 1892 an agreement relative thereto was signed. A much more important and serious matter arose upon an invitation sent from Edinburgh to confer as to the amalgamation of Edinburgh, Leith, and Portobello. To this Provost Aitken offered his most determined opposition. For many years past the difficulty of the due proportionate representation of the Wards in the burgh has been recognised, and in March 1892 a memorandum to the Scottish Office was prepared. Legal difficulties having arisen, the matter was delayed, and again in December of that year the subject was discussed, but with no

definite result. In May 1893 the adjoining house to the Town Hall was purchased, and the premises enlarged and improved. About the same time arrangements were made as to the coming into operation of the Burgh Police Act, 1892. A motion for an additional water supply was adopted. In politics, Provost Aitken was all along a steady supporter of the Liberal cause. When Mr. Jacks wavered on the Irish Home Rule question, and on the day of his nomination was opposed by Mr. Gladstone, Mr. Aitken was one of Mr. Jacks' nominators. Mr. Aitken rather resented this interference, and joined the Liberal dissentients, though his sympathies are otherwise still Liberal. In religion, he is a staunch United Presbyterian, and has long been a member of St. Andrew's Place Church. Provost Aitken was untiring in his attention to duty, and spared neither time nor trouble in protecting the interests which were committed to his care. In 1887 he was appointed a J.P. for the City and County of Edinburgh, and received his commission as Deputy-Lieutenant of the City and County in June 1888. He still gives his services to the burgh as a representative on the Dock Commission.

PROVOST BENNET.

JOHN BENNET was born at Leith on the 29th day of April in 1820. His father was John Bennet, contractor, while his mother was Annie Cameron, from Lochiel.

He received the rudiments of his early education at Leith Fort School, of which his father had been the Government contractor, and finished his schooling at "Daddy Kay's." He entered the Hull and Leith Shipping Company as an apprentice at the age of fourteen, and remained there for four years. He then broke his apprenticeship, and ran off to sea, but after about fifteen months returned home, and entered the service of the London and Edinburgh Shipping Company as shipping clerk. Mr. Bennet remained in the service of that company

for twenty-one years as shore clerk, and afterwards as book-keeper. Therafter he obtained the agency of the Leith and Glasgow Lighters in company with the late Mr. John Campbell, and on the transfer of the lighters to Messrs. James Currie & Co., he started the business of carting agent and contractor. In this Mr. Bennet has been highly successful, building up the largest business of the kind in Leith.



Mr. Bennet entered into public life about twenty years ago, and has been successively Councillor, Treasurer, Bailie, and Provost, being elected to the last-mentioned honour in 1893. He is thus in his second term of office. During his term of office many important events have happened. Among these was the building of the Model Lodging Home and the Public Health Hospital at Pilton, both of which had his warm support, and in which he evinced deep interest.

Another improvement in the burgh was the amalgamation of the parishes of South and North Leith for parochial purposes, which had his strenuous support, and which will prove a great public benefit. To the scheme of the city of Edinburgh to plant an infectious diseases hospital at the Quarry Holes within the bounds of the burgh of Leith—although there was plenty of ground in an adjoining field in Edinburgh—he offered a vigorous opposition, but in this he was unfortunately not successful. By far the most important event, however, of Mr. Bennet's Provostship was the scheme of the city of Edinburgh to absorb Leith within its bounds. To this Mr. Bennet was a bitter and uncompromising opponent. He headed a deputation to London to oppose the Bill, and after a hard fight had the satisfaction of seeing that part of it which sought to incorporate Leith with Edinburgh thrown out.

The Provost has all along taken a warm interest in promoting everything which he considered was for the benefit of his native town. He is a director of the Leith Hospital, and is likewise interested in most of the charitable institutions of the town.

BAILIE ARCHIBALD.

ANDREW ARCHIBALD was born in 1828 at Menstrie, a village nestling at the base of the Ochil Hills in Clackmannanshire. He received the rudiments of his education at the village school, and entered a woollen factory as a lad about the age of fourteen. In this he rose to a position of responsibility and trust, and afterwards started a small business as manufacturer. In the spring of 1852, at the beginning of the gold diggings in Australia, he went to Melbourne. The colony was then in its infancy, and after tasting some rather rough colonial experiences, he returned to his native land at the end of 1853. In 1856 he began business as a baker in Leith, where for the past 41 years he has conducted a

respectable and profitable trade. Mr. Archibald had always devoted his leisure hours to the acquisition of knowledge, and soon after settling in Leith he began to interest himself in the municipal and political affairs of the town. His ability was early recognised, and in 1866 he was returned to the Council for the Fifth Ward.



In the Water question, which so greatly agitated the rate-payers in Edinburgh and Leith, he was a strong advocate and supporter of St. Mary's Loch Scheme,—was examined before select committees of both Houses of Parliament on important Water Extension Bills,—assisted the Midlothian Water Company in 1873 in obtaining power to introduce a supply

from the Manor Valley, and devoted a large amount of time and attention to this subject.

In November 1873 he was elected Treasurer of the Burgh. From the eager manner in which he applied himself to the Water question and his diligent attention to his municipal office, his health gave way under the strain, and he was laid aside for several years from active service. In 1883, however, he was sufficiently restored to resume public work, and he was then elected for the First Ward to the Council that year. In November 1885 he was appointed a Magistrate during Provost Pringle's term of office, and continued as such till 1895, when he retired from the Council. In 1893 he was unanimously asked by his brother Councillors to become Provost, but magnanimously declined and nominated Provost Bennet.

During Bailie Archibald's tenure of office in the burgh, his prudent, sagacious counsel and sound administrative ability was of great benefit to the community and saved it much expense. He consistently promoted improvement in all the burgh affairs. Among the recent schemes in which he took an active interest may be mentioned the improvement of the links, the improvement scheme and its finances, the formation of the burgh into one drainage district, the arrangement with the Tramway Company, and the amalgamation of the parishes.

Nor were the Bailie's valuable services given to Leith alone. The ratepayers of Edinburgh benefited thereby also. He took a prominent part in 1869 in the transfer of the Edinburgh Water Company to the Water Trust, the transfer of the Gas Company to the Gas Trust, and the carrying through of the Water of Leith Purification Scheme. As convener of the Works Committee of the Water Trust he has rendered and is still rendering inestimable service to the ratepayers.

In recognition of his very varied and great services, he was, on 22nd January 1895, presented with a portrait of himself and a cheque for £600, while Mrs. Archibald was presented with a handsome diamond ring, subscribed for by the ratepayers of Leith and Edinburgh.

In politics Bailie Archibald was, in his earlier career, Radical, or at least advanced in his views, and as joint chairman of the Independent Liberal Committee in 1868 rendered great assistance to Mr. MacFie in his return to Parliament. In later years his views have become more modified, and he now ranks among the Liberal Unionists. In religion, though a United Presbyterian and member of Junction Street Church, his sympathies are broad and tolerant.

In his career in life Bailie Archibald's actions have been characterised by candour, honesty, and ability, his opinions on all questions being reached by mature and deliberate judgment, and whether one agrees with or differs from him, respect is always commanded by the reasons he can give for his views.

DISTINGUISHED DIVINES OF LEITH.

REV. DAVID LINDSAY.

DAVID LINDSAY, born about the year 1530, was a lineal descendant of the Lindsays of Edzell. He was educated at St. Andrews, prosecuted his studies abroad, returned from his travels about 1559, and joined the ranks of the Reformers. At the settlement of the Reformation, in 1560, he was appointed minister of Leith by the Committee of Parliament.

In 1571 he approved of the Earl of Morton's scheme to introduce Bishops with limited powers into the Scottish Church. In November 1572, when John Knox was in his last illness, Mr. Lindsay often visited him. He often related an incident which, chiefly upon his authority, was inserted by David Buchanan, Calderwood, and others in their histories:— One day, when he had gone to visit Mr. Knox, then near death, and had asked him how he did, Mr. Knox answered, "Well, brother, I thank God. I have desired all this day to have had you with me, that I might send you to that man in the Castle, the Laird of Grange" (Sir William Kirkecaldy of Grange), "whom you know I have loved so dearly, and whose courage and constancy in the cause of God you have sometimes seen, although now, most unhappily, he hath cast himself away. Go, I pray you, and tell him from me, in the name of God, that unless he leave that evil cause, and forsake that wicked course wherein he hath entered, neither that rock in which he confideth" (meaning the Castle of Edinburgh) "shall defend him, nor shall the carnal wisdom of that man whom he counteth half a god" (meaning Sir William Maitland, younger, of Lethington) "afford him any help, but he shall be pulled out of that nest, and his carcass shall hang before the sun.

So God hath assured me." Mr. Lindsay went: Grange himself came upon the wall, but after consulting Secretary Lethington, he dismissed Mr. Lindsay with a disdainful answer, "Go," said he, "and tell Mr. Knox that he is a dirty prophet." When Mr. Knox heard from Mr. Lindsay that Grange had not, after he had consulted with Lethington, well received the message, he said, "I have been earnest with my God concerning these two men. As for the Laird of Grange, I am sorry that it should so befall him; yet God assureth me there is mercy for his soul. As for the other" (Lethington), "I have no warrant that ever he shall be well." On 3rd August 1573, Mr. Lindsay accompanied Kirkcaldy of Grange to the scaffold. When Grange saw the scaffold preparing at the Cross, the day fair, and the sun shining clear, his countenance was changed. Mr. David asked what he was doing. "Faith, Mr. David," saith he, "I perceive well now that Mr. Knox was the true servant of God, and his threatenings to be accomplished."

About 1574, Mr. Lindsay, in consequence of a commission from the Assembly, visited the districts of Kyle, Carrick, and Cunninghame. In 1575 the Assembly appointed him to argue on the side of Episcopacy in the question then under their deliberation, viz. "Whether the office of bishop, as exercised in Scotland, was lawful." He was Moderator of the Assembly which met at Edinburgh 9th October 1582, which Assembly cordially approved of the enterprise called "the Raid of Ruthven," which had happened in the August preceding. He was the only clergyman, with the exception of the King's own chaplain, who would pray for the ill-fated Mary at the moment when, apprehending her instant execution, James besought the prayers of the clergy, as a last resource, for her preservation. On 12th April 1583 the Parliament appointed that Colonel William Stewart, of Monkton, a younger brother of the Earl of Arran, should go on an embassy to England, and be accompanied by Mr. David Lindsay, minister of Leith. They hoped that both the Colonel and Mr. Lindsay would thereby become more attached to the English party, which had always strenuously opposed the measures taken for the Queen's restoration. The embassy returned from England

on 3rd June. In a few weeks after their return a great change took place. The Colonel proved faithless. The King, assisted by him, by the Earl of Allan, and others, rescued himself, 28th June, out of the hands of those who had been his most faithful and popular counsellors. The Earl of Arran regained his former power, and the Archbishop of St. Andrews, who on many accounts was offensive to the General Assembly, went in December into England to confer with the English bishops and prosecute his scheme of utterly subverting the Presbyterian Church. He returned to Scotland end of April 1584. The Presbytery of Edinburgh, being secretly advertised of rigorous measures intended against the liberties of the Church, deputed Mr. Lindsay to go to the Palace of Holyrood House, where the King and the lords of articles then were, to entreat that nothing prejudicial to the Church should be done. Mr. Lindsay, apprehending no danger, went to the Palace; but was seized by order of the Earl of Arran as an intruder, and in the morning was conveyed as a state prisoner to the Castle of Blackness. The Earl alleged that Mr. Lindsay was in a course of correspondence with some persons in England; but no evidence of it was produced.

The Earl of Arran's interest at Court being on the decline, Mr. Lindsay, in April 1585, was liberated. He was much favoured by the young King, James VI., both on account of his conciliating manners, and of the friendship which he had shown to the late Duke of Lennox.

In 1589, Mr. Lindsay was one of the commissioners appointed by the King to examine into the state of ecclesiastical benefices, and to deprive such persons as had illegally obtained them. He accompanied the King to Norway in October 1589, where he married James to the Princess Anne of Denmark. On 17th May the Queen was crowned in the Abbey Church by Mr. Robert Bruce, Mr. David Lindsay being present. On 16th April 1599 he baptized, in the Chapel of Holyrood House, the Princess Margaret, daughter of the King and Queen, who died in infancy. He also baptized the unfortunate King Charles the First, and his elder brother, Prince Henry, who died in 1612, at the age of nineteen.

He was appointed Bishop of Ross in 1600, in accordance with the recent Act in favour of Episcopacy—a form of church government he had always advocated. The King landed at Leith on 11th August 1600, six days after the Gowrie conspiracy. “Mr. David Lindsay taketh him to the kirk, exhorteth him after thanksgiving to perform his vows made before times for performance of justice, at which words he smiled, and talked with those that were about him, after his unreverent manner of behaviour at sermons.” He accompanied King James to London in 1603. Mr. Lindsay was a Commissioner for the Union of the two kingdoms, nominated by the Parliament which met at Perth on 15th June 1604. The death of the venerable David Lindsay, Bishop of Ross, occurred in the year 1613. Notwithstanding the various and important situations which he held, he continued his ministry at Leith until his death, in the eighty-second or eighty-third year of his age. He was interred at Leith. Mr. Lindsay was married, and was survived by a daughter, Rachel, who became the wife of Archbishop Spottiswoode, and a son, Jeremiah, of whom little is known, save that he took part in some of Bothwell’s schemes, and narrowly escaped imprisonment. Mr. Lindsay wrote a book, entitled *The Godly Man’s Journey to Heaven*, in ten parts, printed in London in 1626.

REV. JOHN COLQUHOUN, D.D.

JOHN COLQUHOUN, the son of a small farmer on the estate of Sir James Colquhoun, of Luss, on the banks of Loch Lomond, was born on 1st January 1748. Having evinced a decided inclination for the ministry, he became a student of the University of Glasgow in 1768. Thereafter going through the full curriculum of Arts, and attending the classes in the Theological Hall, he went to the University of Edinburgh for a session. He was licensed by the Presbytery of Glasgow in August 1780. St. John’s Church, South Leith, having become vacant about this time, Mr. Colquhoun received a

call to become its pastor, and was ordained on 22nd March 1781.

From that date, for the greater part of half a century, he continued to discharge the duties of his sacred office with remarkable diligence and zeal, and, until within a few years of his death, with the happiest results, to a highly respectable and numerous congregation. He led a very retired life, taking little part in the discussion of public questions or the transaction of public business, being in a great measure unconscious of what was going on in the world around him. His time was exclusively devoted to study and the discharge of his pastoral duties. He devoted great attention to the young who desired to become members of the Church, giving them ample opportunity of receiving instruction by meetings which he held for that purpose. One of the most marked features of his character was the sincerity, directness, and simplicity of his manner. On no occasion did he hesitate to speak out his mind with the greatest plainness and even bluntness, sometimes to the considerable astonishment of those he addressed.

Towards the close of his life a most unhappy misunderstanding with his congregation regarding the appointment of an assistant, which had nearly the effect of breaking up the Church, was mainly caused by his injudicious proceedings, which even his high Christian character, the length of his faithful services, and his advanced age, could scarcely excuse. He was no doubt a most sincere and conscientious man, but he carried out his rigid severity to rather an extreme length.

In the autobiography of Hugh Miller, entitled *My Schools and Schoolmasters*, it is stated that the first time he visited Edinburgh he went to hear Dr. Colquhoun preach. He had read some of the doctor's publications, and thought so much of the works that he went to hear the eminent divine. It happened that the great fire which desolated the south side of the High Street of Edinburgh from Parliament Square to the Tron Church had just occurred, and the reverend doctor "improved the occasion" by preaching a sermon on the calamitous occurrence. The doctor declared that the fire was a special judgment from God, who had been justly

incensed because a short time before Handel's *Messiah* had been performed in the Assembly Rooms in George Street. Miller by no means assented to this doctrine, and very naturally remarked that it rather was against the truth of the statement so dogmatically laid down, that in all likelihood not one of the persons burnt out had attended the performance of the oratorio which had called down such signal vengeance from heaven.

Dr. Colquhoun was the author of several theological works. The first, *A Treatise on Spiritual Comfort* (1813); another *On the Law and the Gospel* (1815); *On the Comfort of Grace* (1818); *Catechism for the Instruction and Direction of Young Communicants* (1821); *On the Covenant of Works* (1822); *A View of Saving Faith from the Sacred Records* (1825); *A Collection of the Promises of the Gospel arranged under their proper heads, with Reflections and Exhortations deduced from them* (1825); and lastly, *A View of Evangelical Acceptance from the Sacred Records* (1826). A small posthumous volume of *Sermons chiefly on Doctrinal Subjects*, with a memoir of the author, was published in 1836. These works were all thoroughly evangelical and orthodox in their tone, and at one time were extensively read. Dr. Colquhoun died on 27th November 1825. He was buried in the churchyard of South Leith. He was twice married, but had no children.

REV. JOHN LOGAN.

JOHN LOGAN was born at Soutra, in the parish of Fala, Midlothian, in the year 1748. His father, George Logan, was then a farmer in that place, but afterwards removed to Gosford, in East Lothian. John's parents fostered his love of learning, and resolved to educate him for the clerical profession. Having received all the education which Gosford could afford, he went to the University of Edinburgh.

Michael Bruce was then a student at the same university, and the similarity of their bent and pursuits soon produced an intimacy which continued till the premature death of the

poet of Lochleven. After the death of Bruce, Logan prepared the poems he had left for the Press, and in 1760 published *Poems on several occasions by Michael Bruce*, to which he added an account of the life and character of the author, and *Some Poems written by Different Authors*. The friends of Logan and of Bruce are divided in their opinions concerning the share which the latter had in this miscellany. Some years later Logan claimed as his own the celebrated "Ode to the Cuckoo," and some other poems which were introduced into the volume. After completing his theological course at Edinburgh, he was engaged by Mr. Sinclair, of Ulbster, as tutor to his eldest son, the late Sir John Sinclair, Baronet, author of the *Code of Agriculture*. In this situation he did not remain long. After undergoing the usual examination, he obtained licence from the Presbytery of Edinburgh to preach.

His reputation soon spread, and he received a unanimous call from the Kirk-Session and Incorporation of South Leith to become one of the ministers of that parish, and was accordingly ordained in 1773. The duties of his ministerial office he discharged with steadiness and fidelity.

While he attended to his sacred and important duties as clergyman, he did not abandon the muses, but spent his leisure in the cultivation of polite literature, particularly poetry. Shortly after his appointment to the South Leith Church, he was appointed one of the General Assembly's Committee for revising the psalmody of the church, and composed several of the paraphrases in the collection now used in public worship. During the session of College, 1779-80, he read a course of lectures on the Philosophy of History, in St. Mary's Chapel, Edinburgh, in which undertaking he was patronised by Principal Robertson, Dr. Blair, and others eminent for their taste in literature, and their encouragement of ability. He read the same course of lectures during the session 1780-81, with such universal approbation as to be encouraged to offer himself as a candidate for the Professorship of Civil History in the University of Edinburgh. In this, however, he was disappointed, Alexander Fraser Tytler (Lord Woodhouselee) being appointed to the chair. In 1781 he

published the substance of that part of his prelections which related to ancient history as *Elements of the Philosophy of History*. This effort received some encouragement; for in the following year he published one of his lectures, on the Manners and Government of Asia. In 1782 he published a volume of poems, which were so favourably received that the second edition was soon called for. In 1783 he produced the tragedy of *Runnameda*, which, however, was never acted (except once in Edinburgh) on account of certain references which it was supposed to make to the politics of these times.

These disappointments did not fail to make a deep impression on his mind, and they accordingly so increased that melancholy to which he was naturally subject, and developed and produced certain irregularities in conduct rather incongruous with the sacredness of the ministerial character. His parishioners persecuted relentlessly the man who had laboured with assiduity for their good, and whose learning and talents had been devoted for their improvement. Logan foresaw the storm that was gathering around him, and agreed to withdraw from his office, and Mr. Dickson was appointed his assistant and successor. He received a small annuity, and proceeded to London, where he devoted himself entirely to literary pursuits, contributing to various periodicals, among others the *English Review*. In 1788 he wrote an able pamphlet, entitled *A Review of the Charges against Mr. Warren Hastings*, which attracted considerable notice, and produced an impression favourable to Hastings. His health now began to decline, and he died on 25th December 1788.

The death of Mr. Logan was much lamented by his friends, to whom he was always warmly attached, and by whom he was sincerely beloved. By his will he bequeathed the sum of six hundred pounds sterling in small legacies to his friends; and appointed Dr. Robertson and Dr. Grant his executors, to whom he intrusted his manuscripts. In 1790 a volume of his sermons was published, under the supervision of his friends, Dr. Robertson, Dr. Blair, and Dr. Hardy. In the following year a second volume was published, in which

several of the discourses are not finished. The fourth edition of both volumes was published in 1800. Among his manuscripts, after his death, there were found several unfinished tragedies, thirty lectures on Roman history, portions of a periodical work, and a collection of sermons, from which two volumes were selected and published by his executors. The sermons are warm and passionate, full of piety and fervour, and must have been highly impressive when delivered.

One act in the literary life of Logan we have already averted to, namely, his publication of the poems of Michael Bruce. His conduct as an editor cannot be justified. He left out several pieces by Bruce, and, as he himself states in his preface, "to make up a miscellany" poems by different authors were inserted. The best of these he claimed and published afterwards as his own. The friends of Bruce, indignant at his conduct, have since endeavoured to snatch this laurel from his brow, and considerable uncertainty hangs over the question. Bruce's friends also claim for him some of the hymns published by Logan as his own, and they show that the unfortunate young bard had applied himself to compositions of this kind. The truth here seems to be that Bruce was the founder, and Logan the perfecter, of these exquisite devotional strains.

The best of Logans productions are his verses on a "Visit to the Country in Autumn," his half dramatic poem of "The Lovers," and his ballad stanzas on the "Braes of Yarrow." As a poet, simplicity, elegance, and taste seem to be the characteristic features of his compositions; chaste, tender, pathetic, he is often beautiful, seldom sublime, and possesses more of fancy than of fire. His hymns are distinguished by sweetness of versification and tenderness of expression.

As a divine he shone with considerable lustre, was warm and animated, carried his readers along with him, kindled their zeal, and awakened the devotion of the most languid and inattentive. In native eloquence he stands high among pulpit orators; and perhaps the theological literature of his time affords not many better specimens of pulpit eloquence than some passages in the sermons of Logan.

BISHOP FORBES.

BISHOP FORBES was born in the parish of Rayne, Garioch, Aberdeenshire, in 1708. It is probable that Robert Forbes received his first lessons in churchmanship from the Rev. Patrick Lunan, who was settled on the estate of Logie-Elphinstone, and accepted the doctrine of the divine origin of Episcopacy and hereditary government, which he thereafter professed most unswervingly till the day of his death. He was sent to Marischal College about 1722, and graduated Master of Arts in 1726.

In June 1735 he came to Edinburgh, being apparently then in deacon's orders. He was the bearer of a letter of introduction from the "Rev. Mr. Falconar, at Balgownie," to the Rev. William Harper, then ministering to the congregation in Carrubber's Close, Edinburgh. Mr. Forbes acted as assistant to Mr. Harper for about six months, on the expiration of which he was appointed by the Bishop, David Freebairn of Edinburgh, assistant to the Rev. William Law, incumbent at Leith.

Of Mr. Forbes' settlement in the congregation at Leith a full account is preserved in the Episcopal chest. Some of the congregation protested against the arrangement, desiring the Rev. John Mackenzie, then of Wemyss, in Fife, for their pastor. This protest they threatened to carry to the "first Synodical meeting of the Bishops." It received, however, a full answer from all the managers of the church (except one), and the "bulk of the congregation" stated that "Mr. Forbes was giving satisfaction to and pleasing all who had a title to the appointment of a minister." Bishop Keith then stepped in and proposed that, as a healing measure, a Mr. Forsyth should be appointed. Bishop Keith was answered by a Mr. Robertson, who informed him that "the majority of the congregation, and by far the better part of it, are very well pleased with Mr. Forbes, and look upon that affair as settled." The statement winds up with a petition addressed "Unto the Right Reverend Father in God, David, Bishop of Edinburgh."

This petition ends: "Earnestly entreat your reverence would be pleased (soon as conveniently may be) to promote him to the order of priesthood, and collate him at Leith as one of our ministers." This arrangement was duly carried into effect, and Mr. Forbes settled at Leith, which was thenceforth to be his home, for about forty years.

Soon after his settlement in Leith he married Agnes Gairey. This lady died, 4th April 1750, in the forty-sixth year of her age. She does not appear to have left any family.

During his incumbency of Leith, and before he became a Bishop, Mr. Forbes left us tokens of devoted work for the Church in his *Register of Baptisms*, etc.

In the midst of his duties Mr. Forbes was surprised by the great enterprise of 1745. The following entry appears in his baptismal register: "N.B.—A great interruption has happened by my misfortune of being taken prisoner at St. Ninian's, in company with the Rev. Messrs. Thomas Drummond and John Willox, Mr. Stewart Carmichael, and Mr. Robert Clark, and James Mackay and James Carmichael, servants, upon Saturday, the 7th day of September 1745, and confined in Stirling Castle till February 4, 1746, and in Edinburgh Castle till May 29th of said year."

Mr. Forbes was a thorough Jacobite, and from this time the restoration of the exiled family became the ruling passion of his life. Soon after he began that valuable and curious work entitled by him "*The Lyon in Mourning; or, A Collection (as exactly as the iniquity of the times would permit) of Speeches, Letters, Journals, etc., relative to the affairs, but more particularly to the dangers and distresses of ———.*" He could hardly fill up the blank with safety, but no doubt would have added "Charles, Prince of Wales." This collection is comprised in ten octavo volumes, now in the Advocates' Library, Edinburgh.

Returning to his work at Leith, after his imprisonment, he had to "gang warily," and, his public chapel having been shut up, he appears to have carried on the church services privately for some short time. After his first wife's death he married again. The lady was Rachel Houston, afterwards the indefatigable companion in his northern journeys.

About 1760, Mr. Forbes began to be a writer in the *Edinburgh Magazine*, to which he subsequently contributed, under different names, topographical and antiquarian articles. In 1761 he contributed to this same serial some extracts and notes relating to Roslin Chapel. These were afterwards printed separately.

Bishop Forbes was consecrated in 1762, and about three weeks afterwards set out for the north, leaving Leith on Monday, 12th July. After getting to Inverness he travelled to the Black Isle and through Ross-shire to Thurso, celebrating the Holy Eucharist, preaching, confirming, and blessing as he went. The number confirmed by him on this tour was 616, besides many baptized. He returned to Leith on 2nd September of that year.

About this time Bishop Forbes was occupied with the preparation of a new edition of the *Scotch Communion Office*. Liturgical studies possessed a deep interest for him from a very early date. Many copies of offices of different kinds are preserved in his handwriting in the Theological Library. On other subjects Bishop Forbes was an indefatigable copyist, and columns in his handwriting still remain, consisting, however, chiefly of treatises and letters of the earlier non-jurors.

In 1764, Bishop Forbes went to London, and in 1770 he undertook his second journey to the north. In his latter years Bishop Forbes published two little volumes, both now extremely rare. The first one was printed at Edinburgh in 1767: *An Essay on the Nature of the Human Body, and that Singular Respect and Veneration shown to it after Death, among all People and Nations whatsoever. . . . By a Ruling Elder of the Church of Scotland*. This octavo pamphlet has been traditionally ascribed to Bishop Forbes. In the *Scottish Guardian* for January 1884 appear accounts of two folio prayer books which belonged to the Bishop. They contain MS. additions to be used at the ordination service of deacons and priests.

On 24th August 1774 the Bishop paid a visit to Forfar, where he assisted at the consecration of his friend the Rev. Charles Rose as Bishop of Dunblane. About the beginning

of November he became seriously ill, and he died on the 18th of that month. In the *Scots Magazine* for November 1775 he is thus referred to:—

“His classical knowledge was extensive and accurate, and his researches into the history and antiquities of his native country employed many of his leisure hours, and rendered these studies familiar to him. In the duties of social life he was second to none. Benevolence of heart added a dignity and lustre to the genuine purity and simplicity of his manners. He was affable, generous, humane, and, in a literal sense, a friend to mankind.” The funeral took place on 21st November 1775, he being buried in the Maltmen’s Aisle of South Leith Parish Church. Mrs. Forbes only survived him a short time, dying on 8th January 1776, and was buried beside her husband. A Memoir of his life and work, with the Journal of his Episcopal visitations to the dioceses of Ross and Caithness, and Ross and Argyll, and a Sketch of the Episcopal Church in Ross during the eighteenth century, edited by the Rev. J. B. Cowen, of Kirkwall, was published in 1886.

REV. DR. DAVID JOHNSTON,

MINISTER OF NORTH LEITH.

DAVID JOHNSTON was born on 26th April 1734. His father was minister of Arngask, a parish situated in the three counties of Perth, Fife, and Kinross. After attending the usual academical courses, and having obtained licence to preach, he was ordained to the parish church of Langton, in Berwickshire in 1759. He remained there, however, only about six years, having been called to the more important charge of North Leith.

Dr. Johnston’s election to the pastoral charge of North Leith was, of course, by “the haill of the inhabitants,” and on his coming into the parish he and his session arranged to vest the management of the church property, funds, and

patronage in themselves as trustees for the people. They were able in the course of time to make this one of the most valuable livings in Scotland, by feuing nearly the whole of the glebe for building purposes.

Dr. Johnston seems to have been married before his removal to North Leith. His wife, Elizabeth, was the eldest of three Misses Todd, of South Leith. He had several



children who died young, but besides these he had a son who died at Bombay, aged twenty-five, and two daughters, who married early, and settled in Glasgow, leaving him a lonely man, his wife having died some years before. The younger daughter died in middle life, but the elder, Mrs. Penney, survived her father, and lived to be ninety-six.

A few years after his settlement in North Leith, Dr. Johnston presented a memorial to the kirk-session for an

increase of stipend. The memorial set forth that he loved his people, and would not be actuated by mercenary motives in ministering the gospel. The expenses of a family, however, had come upon him, and the cost of living had been increasing. He reminded them that they had funds in their hands legally applicable to this purpose, and requested an increase of 400 merks (£22, 4s. 5d.). The cautious session granted only 300 merks.

Excepting the alarms experienced by the inhabitants of Leith during the early part of the century, when the country was threatened with foreign invasion, and the arduous duty which he faithfully discharged in consoling the fears and animating the courage of his people, no occurrence of special interest falls to be narrated within the scope of his history. It would, however, require a volume to record all the acts of genuine Christian philanthropy in which he was engaged almost every day of his life. In the temporal affairs of his people he took a lively interest, and felt for their misfortunes as if they were his own. In a maritime district such as North Leith, where a great portion of the inhabitants are engaged in the precarious and dangerous occupation of the sea, casualties were of frequent occurrence. The moment he heard of a case of distress, he could not remain satisfied until he had done something to assist the sufferers. Whether his charity was exerted on behalf of individuals or of institutions, he was equally unremitting in his endeavours; and whenever a benevolent project was pointed out to him, he entered into the scheme with the most ardent enthusiasm, and prosecuted it with untiring energy.

In 1779 the inhabitants of Leith were alarmed by the approach of the notorious Paul Jones. Dr. Johnston's influence was the life and soul of whatever heroism was displayed by his parishioners on such occasions. From time to time he called them together, mainly for prayer, but also to listen to addresses calculated to stir their blood, and nerve their arm against the foe. When the state of things became more alarming, and this country was threatened with invasion by the French in 1803, he earnestly exhorted his people not

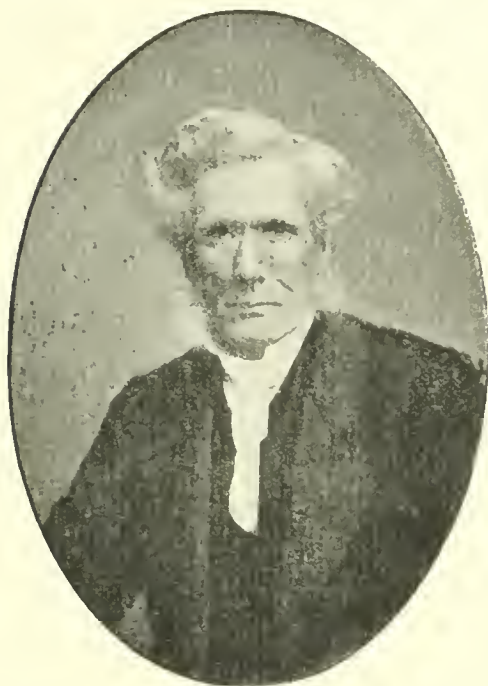
only to pray, but to lend themselves as volunteers for the defence; the brave old man of sixty-nine years proposing himself to be one of them.

His parishioners were kept in constant anxiety about their loved ones at sea; and much was the labour and expense entailed on him personally in his efforts to rescue them. If a widow's son was taken prisoner by the French on the high seas, or was seized by the pressgang for our own navy, straight she went to the manse with her grief, and promptly the minister set about procuring a release. It is stated that Dr. Johnston's handwriting was well known in the Government offices in London, and his requests were always, if possible, complied with. Another says no one could make out how he succeeded; that he got off his people, when dukes and lords tried in vain for their dependants; and that he certainly had influence with the French Government as well as the British. In 1793 he received the appointment of Chaplain in Ordinary for Scotland to George III., with a salary of £50 a year.

Dr. Johnston's first volume of sermons was published for the benefit of the Blind Asylum of Edinburgh, of which he was the founder. They realised a sum of £300. So much were his feelings bound up in the success of the institution that he regularly devoted a portion of his time to give it his personal attendance, and watched over its progress with all the fondness of a parent.

Both in person and in feature, Dr. Johnston was exceedingly handsome, and in dress and manners he was a thorough gentleman of the last century. He died at Leith, 5th July 1824, in his ninety-first year, and sixty-sixth of his ministry. Some years prior to his death he had been assisted in his parochial duties by the Rev. Dr. Ireland.

THE REV. JOHN SMART, A.M., D.D.



JOHN SMART, born at Stirling on the 8th July 1802, was the third son of the Rev. John Smart, D.D. His father and grandfather were collegiate ministers of the Back Row Associate Congregation, Stirling.

John Smart was educated at the Grammar School of Stirling, and made such progress that he was found qualified for the University at the age of thirteen. He entered the Arts classes at Glasgow College in 1815, and took the degree of A.M. in 1820. In the previous year he had entered the Theological Hall of the Burgher Synod, and also studied afterwards under Dr. Dick, of Glasgow. On 30th March 1824 he was licensed by the United Secession Presbytery of Stirling and Falkirk, and preached his first sermon at Tillicoultry

During the same year three calls were addressed to him, one by the congregation of St. Andrew Street, Leith, another by Potterow Congregation, Edinburgh, and a third by Melville Street Congregation, Glasgow. The last was shortly after withdrawn. The competition accordingly lay between the Edinburgh and Leith congregations. At that period it was the practice for the Church Courts of the Secession to adjudicate between competing calls. The decision was given in September 1824, and was in accordance with Dr. Smart's decided preference of the call from Leith. Mr. Smart's ordination took place on the 2nd of March 1825.

The place of worship in St. Andrew Street, where Mr. Smart commenced his ministrations, was inconveniently situated. Two years after Mr. Smart's ordination, steps were taken to erect a church of larger accommodation and on a more favourable site. For this purpose a suitable piece of ground was secured in the Links of Leith, and thither the congregation removed in April 1827. The undertaking entailed a heavy burden of debt on the congregation, and it is not too much to say that for the erection of the new church and for the liquidation of the debt thereon, the praise is primarily due to Mr. Smart's personal influence and exertions. The debt upon the structure was cleared off a few years before his decease. After the removal to St. Andrew's Place, the church steadily increased in numbers. From his celebrity, his ministrations were often in request by other congregations. In 1830, being invited to supply the pulpit of Well Street, London, his services proved so acceptable that the congregation gave him a harmonious call to fill the vacant charge. But the Synod, in accordance with his own wishes, decided against his removal.

On the 25th of June 1834, Mr. Smart was married to Miss Annie Neilson, eldest daughter of Samuel Morton, Esq., of Harmony Hall, Melrose, engineer and agricultural implement maker, Leith. They had eight children. Mr. Smart's excellent business talents, his acquaintance with forms of ecclesiastical procedure, and his habitual courtesy, pointed him out as the fitting successor of the late Dr. John Brown in the

clerkship to the Edinburgh Presbytery. To this office he was unanimously chosen on Dr. Brown's retirement in 1830. Mr. Smart acted in this capacity for the space of thirty-six years. It was only when symptoms of failing health occurred that he was induced to resign the active duties of the office. On his retirement the Presbytery, together with a few other friends, marked their high estimation of his services by the presentation of a salver with one hundred and fifty sovereigns.

In May 1842, Mr. Smart was chosen Moderator of the United Secession Synod. The business before the court was more than usually important, but the Synod felt that in choosing Mr. Smart they committed to safe hands the duties of the chair.

In 1849, Mr. Smart had the degree of D.D. conferred on him by the University of Edinburgh. In 1851 a heavy bereavement fell upon him. Mrs. Smart died rather suddenly on the 3rd June 1851. Dr. Smart was much cast down. He never ceased to feel his loss acutely, but was enabled to bear up under his sorrow and to apply his mind to his work, as in happier times. In March 1855, Dr. Smart attained to the thirtieth year of his ministry. His people embraced the opportunity to present him with a piece of plate and salver bearing the inscription, "A gift of 200 sovereigns was presented with this salver to the Rev. John Smart, D.D., by his congregation, as a token of their esteem and affection for him as their pastor, after thirty years' service. St. Andrew's Place United Presbyterian Church, Leith, 14th March 1855." In 1862, Dr. Smart was appointed by the United Presbyterian Synod a Deputy to the Union of the Evangelical Churches of France. The Synod met at La Force. At the subsequent meeting of the Synod the highly interesting report of the deputation read, bore ample testimony to the admirable way in which Dr. Smart had acted as a Deputy.

In a few years more Dr. Smart became sensible that his strength was failing. The congregation, with much unanimity, chose Mr. Andrew Henderson Anderson to be colleague and successor to Dr. Smart. Mr. Anderson was ordained on 17th January 1871.

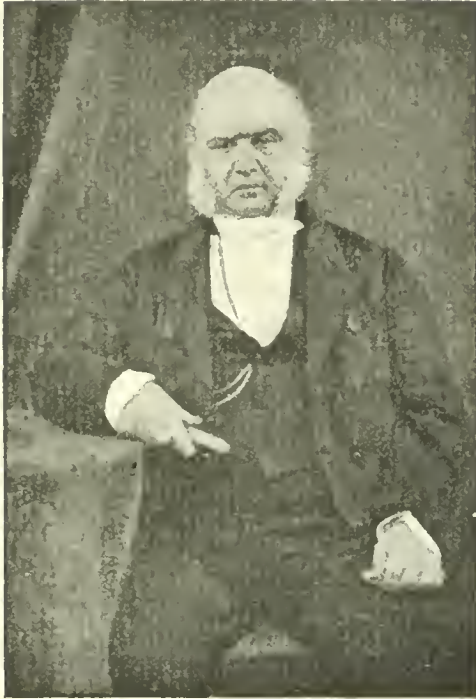
On the last Sabbath of January, Dr. Smart preached on

Heb. xii. 1, and presided at the communion for the last time. For two Sabbaths—in the month of February—he was able to lecture twice on Psalm ciii., which for a number of weeks had been the subject of his forenoon discourses. On the second of these days—19th February—his exposition of the Psalm, and his public ministrations, closed together. Next Sabbath he was able to be in church, and made an intimation, but with evident symptoms of increasing weakness. From the nature and continuance of his illness, a general impression was now prevalent among his friends and brethren that he was approaching his end. Dr. Smart died on Wednesday, 21st June, and was interred in South Leith burial-ground, beside his wife. Funeral sermons were preached by his colleague, and Mr. McDowall, of Alloa, an early and intimate friend.

The loss which the Church sustained by the death of Dr. Smart was felt throughout the entire denomination. The Presbytery of Edinburgh, at its first meeting, recorded their high appreciation of his character and services. A similar expression of respect was paid by the Society of Sons of United Presbyterian Ministers, of which he was the honoured president, and from the first a warm supporter. The session of St. Andrew's Place expressed in a Minute their sense of their bereavement worthy of the occasion, and very consolatory to his mourning family.

As a result of the faithfulness and ability with which he performed his pulpit ministrations, Dr. Smart's people loved him much and highly honoured him, and the outcome of his labours was that he had a large and flourishing congregation. In advocating the interests of the various charitable and religious institutions of the town, he took an energetic and hearty part, and every public movement that was fitted to benefit the community found in him a staunch and influential supporter. He was a warm friend of Bible and Missionary Societies. In the progress of education he always showed himself deeply interested, and his educational views were enlightened and liberal. He studied closely the most pressing social questions, and was a member of the National Association for the Promotion of Social Science.

REV. FRANCIS MUIR.



FRANCIS MUIR was born in the village of Strathaven, Lanarkshire, on the 13th August 1797. He received his early education in the parish school of Strathaven, and having decided to devote himself to the Christian ministry, he attended the Arts classes at the University of Glasgow, passing through the ordinary curriculum. Mr. Muir next studied Divinity for four sessions under Dr. McGill, and was licensed as a preacher of the gospel by the Relief Presbytery in Glasgow in September 1822. He at once attracted attention by his pulpit gifts, and in March 1823 he was called as pastor by the newly formed Relief congregation in Leith. For the first year and a half the congregation met in the old Parish

Church of North Leith, which had shortly before been vacated by the Established congregation.

When Mr. Muir entered on his duties the members of his church were comparatively few, and in many ways he had considerable difficulties to contend with. In a short time circumstances assumed a more prosperous aspect, and in January 1825 the large and substantial church in Junction Street was built at a cost of about £4000.

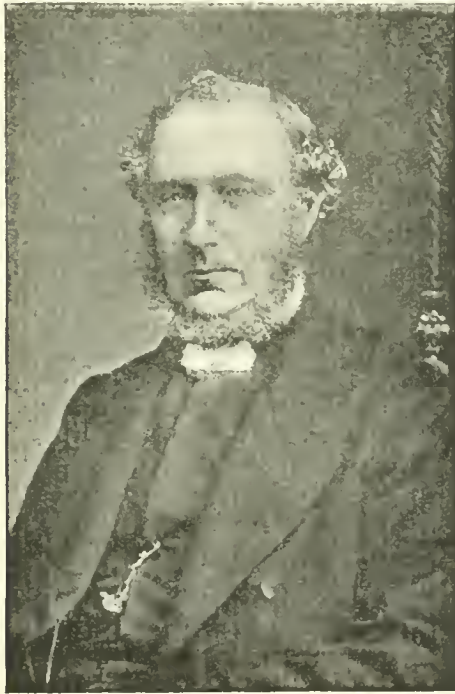
In the new church the congregation increased and prospered, until it became one of the largest in Leith. In the early part of his ministry Mr. Muir married the eldest daughter of the Rev. James Logan, of St. Ninians, and a large family—six sons and five daughters—came of their union. Born in the manse, she had a cordial sympathy with her husband's work. She passed away on 26th June 1869.

In 1865 Mr. Muir was presented by his congregation with a silver centre-piece, four fruit dishes, a silver claret-jug, tea-kettle, and two salvers, bearing the following inscription:—"Presented to the Rev. F. Muir by the Members of the U.P. Congregation, Junction Street, Leith, as a mark of respect for his personal worth, and in admiration of his zealous and faithful services during a ministry of forty-two years. Leith, 21st March 1865." He died on 13th September 1871, in the seventy-fifth year of his age and the forty-ninth year of his ministry. He was interred in Warriston Cemetery.

Mr. Muir was from conviction a decided Voluntary, and when that controversy took place he came forward and publicly advocated the principles which he held. He also, from his belief in the unrighteous nature of the Corn Laws, took part in the agitation for their entire abolition, and he was in all respects Liberal in his views as to political or municipal questions. He showed himself to be the friend of every movement for promoting the well-being of society, and he did what in him lay to advance the interests of the educational, religious, and charitable institutions of the town. Mr. Muir was unwearied in pastoral visitation; he took a deep interest in the welfare of the young; and he was pre-eminently a sun of consolation to the faint and the weary, the sick

and the dying. He was very attentive and kind to the poor, the sick, and the afflicted. All with whom he had intercourse felt that he was a man in whom they could confide, and to whom they could communicate all their griefs or joys, assured that he would truly sympathise with them.

REV. WILLIAM SMITH, D.D.



WILLIAM SMITH was the son of a farmer in the Upper Ward of Lanarkshire. He received his early education at the parish school, and afterwards entered the University of Edinburgh, where he distinguished himself by his classical attainments. He studied under the late Sir William Hamilton, and John Wilson, Professor of Moral Philosophy. When he

had finished his Arts course, William Smith entered the Theological Hall of the University of Edinburgh, and there was brought under the influence of Dr. Thomas Chalmers. For some time Dr. Smith acted as tutor in the family of the Earl of Minto and the Rothes family, retaining the friendship of both till the day of his death.

In 1845 he received licence as a preacher from the Presbytery of Kirkealdy, and was presented to the church of the parish of Lauder by the Earl of Lauderdale. In this sequestered parish he entered upon his sacred duties with great zeal, and his fame as a superior pulpit orator soon spread abroad throughout the Border district. While settled here, on 30th March 1852, he married Miss Ann Maxwell Black, daughter of a Glasgow merchant. One son and three daughters were born of the marriage. In 1857 he was translated to the charge of Trinity College Church, Edinburgh. Mr. Smith was much impeded in his ministrations as pastor of this charge, owing to the failure of the Town Council to provide a suitable place of worship for the congregation. Mr. Smith, however, by the excellence of his pulpit ministrations, and by the energy with which he performed the manifold duties devolving upon him, did a great amount of good, and rendered his church more flourishing than it was when he was appointed to it.

In March 1860 he was called to the charge of North Leith Parish. Shortly afterwards Mr. Smith organised schemes to develop the Christian activities of his people and benefit the young, the poor, and the sick of the parish. He established a Sabbath school, taught by a staff of teachers who regularly visited the children at their homes, and secured their attendance at school. He also instituted a Parochial association for the purpose of carrying out "in the most efficient manner, by mutual consent and co-operation, every Christian work in the parish, and to aid the Church as far as possible in her home and missionary enterprises." To accomplish this beneficent work he organised a staff of visitors and collectors who waited on the poor and sick at their homes, made themselves acquainted with their wants, and, according to the necessities

of different cases, distributed sums of money, food, coals, clothing, etc.

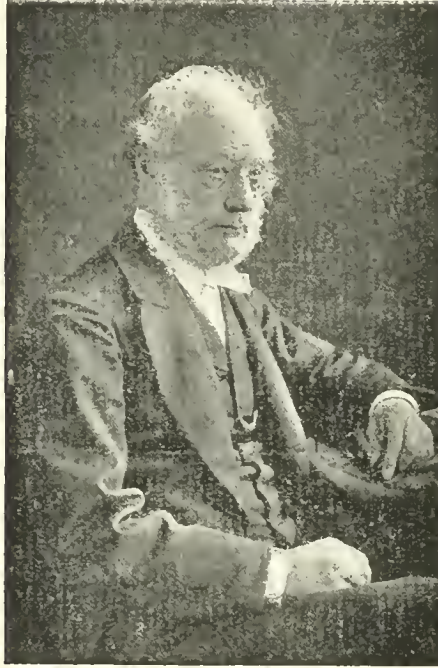
Mr. Smith himself was assiduous in visiting the sick and destitute. After the death of James Robertson, Professor of Church History in the University of Edinburgh, and originator of the Endowment Scheme of the Church of Scotland, and first convener of the Endowment Committee, Dr. Smith was appointed his successor to the convenership. He threw himself with much vigour and earnestness into the onerous and difficult duties of this office. The amount of labour which he thus voluntarily undertook was very great and almost incessant.

No man of his generation did more for the interests of the Church of Scotland than he. In 1875, Mr. Smith was appointed to deliver the Baird Lectures. He chose as the subject of his six lectures, "Endowed Territorial Work; Its Supreme Importance to the Church and Country."

In recognition of the eminent services he had rendered to the Church of Scotland as convener of the Endowment Committee, and the delivery of these lectures, the University of Edinburgh conferred on him the degree of D.D. As a preacher, Dr. Smith was above the ordinary level. He kept himself informed of the newest and best results of biblical criticism, and thus added to his stores of Scripture knowledge a freshness which he imparted to his pulpit ministrations.

Dr. Smith was liberal in his ecclesiastical and theological views, and recognising that as it was impossible to get every man to honestly think alike, he held that insistence on uniformity of belief was the best method that could be devised of manufacturing hypocrites. He made many endeavours to reunite the three Presbyterian bodies in Scotland into a National Church, which, though they failed, produced a considerable impression, and led at the time to greater united Christian action among the bodies. He died at the Manse of North Leith, on Monday, 12th February 1877, survived by his widow and two daughters, one of whom is married to the Rev. D. R. Henderson, M.A., minister of Leeropt parish.

THE REV. PRINCIPAL HARPER, D.D.



From Photo by Mr. Moffat, Princes Street, Edinburgh.

JAMES HARPER was a son of the Rev. Alexander Harper, minister of the Secession Congregation in Lanark, and was born on 23rd June 1795. At the early age of twelve he entered the University of Glasgow, in which he attended the Arts classes for three sessions. From the University of Glasgow he proceeded to that of Edinburgh, where he finished the course prescribed for entrants to the Divinity Hall of the United Secession Church. The Secession Divinity Hall met in those days in Selkirk, under the Professorship of the famous Dr. Lawson, minister of the United Secession congregation there. It was James Harper's great privilege throughout his theological course to enjoy the benefit of Dr.

Lawson's tuition, care, and example, and he never spoke but with enthusiasm of his Selkirk days.

On the time arriving for seeking admission to the ministry, he presented himself for licence to the United Secession Presbytery of Lanark, and was by it (April 1818) licensed to preach the gospel. Within a few months from receiving licence he was called to the pastorate of the congregation of Stonehouse, Lanarkshire, and measures were being taken for his settlement in that charge when the congregation of North Leith stepped forward urging its claims to his ministerial services. The calls of Stonehouse and North Leith were referred to the Synod for settlement, and the supreme court of the Church preferred the claims of North Leith. James Harper was accordingly inducted to the ministerial charge there, his induction taking place in February 1819. North Leith congregation, at the date of Mr. Harper's ordination, worshipped in the old disused Parish Church of the northern division of the town. The congregation afterwards removed to a new church of their own in Coburg Street, and there Mr. Harper spent his lengthened and successful ministry.

At the time of his ordination, his congregation consisted of 138 persons—members and adherents—but ere long he raised the membership alone to over 800 persons. Mr. Harper's pulpit appearances were characterised by mastery in argument, and by great fervency and power. In impassioned moments of his oratory, we are told, his words would fall with arresting power. No wonder that Dr. Thomson can tell of three men of Arniston, beyond Dalkeith, who had gone to Leith on a Sabbath on holiday, and finding themselves in the crowd awaiting admission to Coburg Street Church, and entering it with the crowd, became so arrested and changed by what they heard that they abandoned their Sabbath-breaking habits, and walked regularly to Leith for many years to attend Mr. Harper's ministry. Many such cases might be mentioned.

Many of all classes flocked to hear the Leith orator. One of them, the celebrated Edward Irvine, was a frequent worshipper in Coburg Street, and he was wont to say that Mr.

Harper's preaching approached nearer the Greek oratory than any conception of it he had ever formed. The secret of Mr. Harper's pulpit power was his mastery of his subject. He never spoke without premeditation.

Nor was his pastoral visitation neglected. It was Mr. Harper's custom to visit his congregation, family by family, year by year, besides paying unremitting and special attention to the sick and the dying. Evangelising, too, in Leith and its neighbourhood, greatly engaged his attention. Almost every Sabbath evening he might have been found preaching at the entrance of the old Restalrig tea-gardens, or upon the quay at Leith, or in a hired room at Newhaven.

In November 1820, Mr. Harper was married to Barbara Peddie, a daughter of the distinguished Rev. Dr. James Peddie, of Bristo Street. Mrs. Harper, by her hopeful, cheerful, courageous, self-sacrificing, and consecrated spirit, did much to shape and encourage her husband's career. She survived him by over six years, dying in November 1885. Mr. Harper was all through life an ardent and consistent Liberal. In public questions and affairs, including those more especially affecting Leith, he always took deep interest and a prominent part.

Busying himself with these and other matters, Mr. Harper was necessarily much engaged in controversy. But in it he bore himself with knightly courtesy and honour, and these were always appreciated by opponents of like spirit with himself. In 1843, Mr. Harper was appointed Professor of Pastoral Theology in the United Secession Church, and in the same year the Senatus of Jefferson College, U.S.A., conferred upon him the honorary degree of Doctor of Divinity.

In 1847, upon the death of the Rev. Mr. Balmer, of Berwick, the Synod of the United Presbyterian Church—erewhile the Secession and Relief Churches—appointed Dr. Harper to its Chair of Systematic and Pastoral Theology. In 1876 he and Professor Cairns were associated in the Chair of Apologetics and Systematic Theology, and in the following year the Senate of Glasgow University conferred upon Professor Harper the degree of Doctor of Divinity. In 1876,

under a rearrangement of the United Presbyterian Hall, Professor Harper was appointed Principal. He was the first Principal of the Hall, and, it need hardly be said, discharged the duties of his office with distinguished ability and success. Under an arrangement with his colleague and successor, he still took his share in pulpit work. He was to have preached on Sabbath, 6th April 1879. But while dressing in the morning, apparently in his usual health, he fell to the floor from a fatal stroke of paralysis, from which he never even temporarily rallied. He died on 13th April 1879, in the eighty-fourth year of his age, and sixtieth of his ministry.

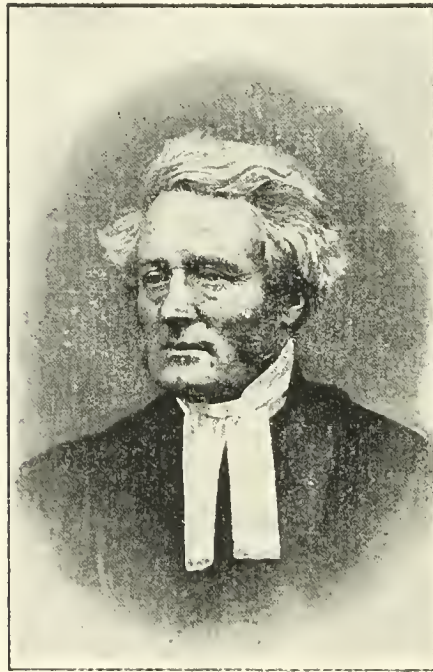
REV. JAMES FAIRBAIRN, D.D.

JAMES FAIRBAIRN was born at Lauder on the 16th December 1804. His father was a farmer, distinguished by his intelligence, shrewdness, and sound common sense. Many of the relations of James Fairbairn were remarkable men, possessed of abilities above the average. Sir William and Sir Peter Fairbairn, celebrated engineers, were sons of his cousin; the late Principal Fairbairn, of the Free Church College, Glasgow, was his full cousin, and the late Dr. Purves, of Jedburgh, an able and respected minister of the Free Church, was also his full cousin.

In his early years James Fairbairn attended the parish school of Lauder, and in 1818 entered the University of Edinburgh, passing through the full curriculum of Arts. Having passed through the Divinity classes of the University, he was for some years laid aside by ill-health, and was not licensed as a preacher till April 1834. After that he was appointed assistant to Dr. Monteith, minister of Dalkeith. He remained at Dalkeith till he was chosen pastor of the *quoad sacra* Church of Newhaven, to which charge he was ordained on 25th January 1838. At the time when Mr. Fairbairn entered on his ministerial duties, the majority of his congregation con-

sisted of humble fishermen and their families. The Newhaven people were very fortunate in the choice which they made. No minister could have suited them better. His fine, open, generous nature, his genial spirit, his tender, loving heart, and the broad humanity of the man, enabled him to enter into the thoughts and feelings of every member of his Church.

Though a learned, highly cultured man in the pulpit, he



could admirably accommodate his discourse to his auditors, so that even the most ignorant could profit by the truths which they heard. As a matter of course he had much influence over his people, they had implicit trust in him as their best and firmest friend, and they found by following his counsels they were much advantaged. He was an ardent promoter of all schemes for the benefit of the public. Every plan of ameliorating the condition of the community, and for elevating

the humbler classes of society, he welcomed and did his best to render successful.

Having much at heart the improvement of the boats which the fishermen used in their perilous calling, he resolved, as far as possible, to reconstruct the fishing fleet by the introduction of boats having decks, "dens," and other improvements. He rightly judged that it was best to make the fishermen do as much as they could reasonably be expected to do, and then to supplement their efforts so as enable them to gain the end at which they aimed. Whenever a crew came forward with a certain proportion of the money required, Dr. Fairbairn got the remainder advanced to them. At the time he died he had the gratification of seeing that thirty-three of these new and improved boats had been provided at a cost of £250 for each, and as much more for fishing appliances. In every instance these boats have proved to be of great service, the owners have been highly prosperous, and thus great numbers of the inhabitants of Newhaven have derived great benefit from Dr. Fairbairn's generous benevolence and wise procedure.

The Free Church congregation at Newhaven consists of two well defined classes of people. Besides the fishermen and their families there are the residents in the numerous villas of Trinity and the surrounding district, many of whom are of considerable wealth, and possess more or less refinement and culture. It is, therefore, rather difficult for a minister to preach to such a congregation so as to render his discourses suitable and profitable to both parties. But Dr. Fairbairn managed to accomplish this by no means easy achievement in a very successful manner.

In his doctrinal views, Dr. Fairbairn was decidedly evangelical, and looked with a considerable amount of disapprobation on all attempts to deviate from the standard of truth.

In ecclesiastical politics, Dr. Fairbairn was Conservative; he held firmly to the principles professed by the Free Church at the Disruption. He was the originator of a movement for the establishment of a lectureship after the nature of the Bampton one at Oxford, in connection with the Free Church, and, after a great deal of exertion on his part, he had the

gratification of seeing the Cunningham Lectureship instituted in 1862. In 1876 the University of Edinburgh conferred on him the degree of D.D.

From his abilities, scholarship, and high culture, Dr. Fairbairn could no doubt have easily obtained a position in his Church much more conspicuous than his first and only charge of Newhaven. But of making such a change this most excellent man never entertained the most distant notion. He was too tenderly attached to his beloved people ever to think of leaving them, and in so acting he judged wisely.

He died on the 3rd January 1879, amidst unfeigned regret, and the deepest veneration of all who knew him. With every token of public respect, he was laid in the cemetery of Warriston, and, with a deeply affecting appropriateness, relays of fishermen, whom he had loved so well, and for whose best interests he had toiled so long and so earnestly, with grateful hearts returned his tender love, by carrying him to the grave.

PROFESSOR STEVENSON, D.D.

WILLIAM STEVENSON was born the son of a farmer at Lochwinnoch, in Renfrew, in 1805. After the usual parish school education William passed on to the Glasgow University, where natural ability, combined with persistent diligence, enabled him to secure many academic honours.

In due course Presbyterian licence followed, and in 1833 he was appointed successor to Mr. Gleig, at that time incumbent to the Abbey Church of Arbroath. This gentleman died in 1835, leaving Stevenson chief minister of the charge. It was a stirring time in the ecclesiastical history of Scotland. The Non-intrusion controversy had commenced, and the long series of troubles which culminated in the Disruption of 1843 was in active operation. For a time it seemed as if Mr. Stevenson was likely to join the Non-intrusionists. He was less extreme in his views than many of the Moderates, and he

had some difficulty in arriving at his ultimate decision to remain in the Establishment. During his residence here he married, in 1837, the daughter of a leading merchant, but she died at Arbroath in 1843.

A year after the Disruption, Mr. Stevenson accepted a call to the first charge of South Leith under Crown patronage. Here he was destined to remain until 1861, when he was



appointed Professor of Church History in the University of Edinburgh. In 1845 he married a second time, his wife being Mrs. Webster, the daughter of James Duncan, a well-known merchant and shipowner of Leith.

Whilst fulfilling with scrupulous conscientiousness the varied duties of a parish minister during his residence in Leith, the academic tastes of Stevenson found vent in various directions. His sermons were masterpieces of careful preparation, and the educational influences of his preaching were

realised by the large and attached congregation gathered round him. He was a member of many learned associations, and took great interest in the work of the Royal and Antiquarian Societies of Scotland, in both of which he held prominent office. Archæological investigations always had for him a special charm, and he was intimately associated in this respect with Cosmo Innes, Skene, Joseph Robertson, David Laing, Dr. Paterson, of Leith, and, above all, with his very dear friend, Sir J. Y. Simpson. In 1849 the University of Edinburgh conferred on him the degree of Doctor of Divinity.

It is pleasant to recall that during Dr. Stevenson's time in Leith he was on terms of intimacy with his Nonconformist brethren. He fraternised in religious and philanthropic work with Dr. Smart, Dr. Harper, Mr. Lewis, and others of the various ecclesiastical denominations. Dr. Stevenson took a frequent part in the work of the General Assembly, and after he had ceased parochial work, was frequently returned a member of the General Assembly by the Burgh of Arbroath. In addition to being a member of many leading committees, he was for a succession of years convener of the Assembly's Committee on Colonial Missions, a post to which he devoted much attention with well-recognised success. His social hospitalities during the annual meetings of the Assembly were fully acknowledged. From a very early period in his career he had applied himself to the acquisition of a library embracing every division of standard literature. Subsequently to his death the library which he had amassed was submitted to public sale, taking seventeen days for its realisation.

Whilst at Leith a great work was effected in the restoration and embellishment of the grand old Parish Church, and in this he was liberally supported by prominent members of his congregation, notably by Mr. Alexander Whyte, Mr. John Robertson, and by his father-in-law, Mr. Duncan, who personally bore the expense of extensive work upon the external fabric. Failing health, accelerated by an unfortunate shooting accident, compelled Dr. Stevenson's resignation of his professorial duties in 1872, and from that date his public life may be said to have ended.

His only printed work was one on *The Legends and Commemorative Celebrations of St. Kentigern, his Friends and Disciples*, 1872. He died in 1889.

In estimating the influence of Dr. Stevenson's character on those with whom he was associated in Leith, it is impossible to pass over, although here is not the place to dwell upon, the religious side. With a profound conviction of Christian truth, fortified by rare erudition and power of research, having spent his life amidst the controversies and heresies by which through the ages Christianity has been assailed, Dr. Stevenson, in maintaining a resolute faith, was a determined opponent of anything in religion that he considered sham or sensational.

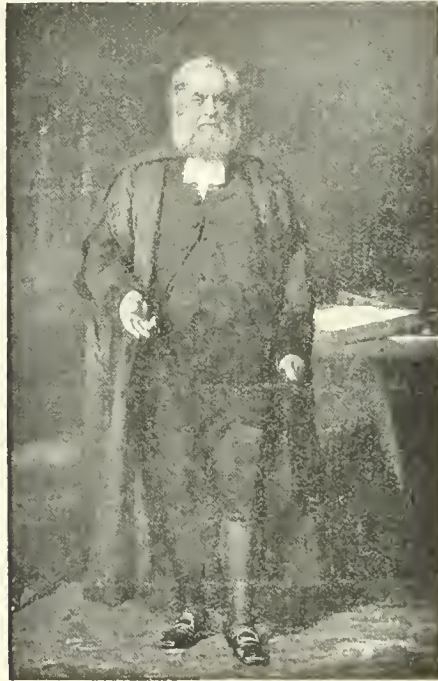
REV. JAMES GRANT, D.D.

JAMES GRANT was born at Port Moak, in Kinross-shire, in 1800, his father being minister of that parish. Having received the rudiments of his education at the parish school, he entered the High School of Edinburgh, and laid a solid foundation of learning under his various masters in that school. He next pursued his studies at the University of Edinburgh, and having passed through the curriculum of Arts, he entered the Divinity Hall, applying himself with great diligence to the acquisition of theological knowledge.

After receiving licence as a preacher of the Church of Scotland, he in 1824 received a presentation to the first charge of South Leith. About the same time that Dr. Grant went to South Leith, the late Drs. Harper and Smart were also ordained to the charges which they continued to hold till their death. Few towns of the same size as Leith then was, have had the good fortune to secure the services of three such ministers within a few years.

As soon as he was settled in his important sphere of labour, Mr. Grant applied himself with characteristic energy and assiduity to the performance of the duties of his charge.

He was a man of such sagacity, prudence, clearness of head, and sound common sense, that he could on every occasion give his people the soundest advice as to all their worldly affairs, sympathise with them in all their difficulties, and his sage suggestions and weighty influence did much to extricate them from their dilemmas. In promoting the education, and in advancing the interests of the various charities of the town,



Mr. Grant took his full share, and was always ready to give his countenance to every scheme which he thought would benefit struggling humanity.

During the nineteen years that Mr. Grant occupied the first charge, he lived on the most cordial terms with his colleagues. For the most of the time he was in Leith, the excellent and gentlemanly Mr. David Thorburn was associated with him. The pulpit discourses of Mr. Grant were of a superior order,

He possessed the fundamental qualifications of believing the truths which he set forth, and of understanding them.

At one period of his life Dr. Grant took a prominent part in the discussions which arose in Church courts, and exerted a great amount of influence in the management and settlement of ecclesiastical affairs. He steadily and firmly opposed the proceedings of the party which afterwards became the Free Church, throughout the ten years' conflict. He did so because he firmly believed that the movement of that party would end in doing much harm to the Church of Scotland. He thought it his duty, when the ministers of the Presbytery of Strath-bogie set at defiance the injunction of the Non-intrusion majority of the General Assembly, to express his sympathy with the recalcitrant Presbytery, and when he was assailed and put under discipline along with others for doing this, an address was presented to him and published, signed by the Town Council of Leith, and large numbers of all classes and denominations, assuring him of their sympathy, approval, and support.

Mr. Grant was translated to St. Mary's, Edinburgh, in 1843, and resigned that charge in 1871. He was appointed chaplain to the Highland and Agricultural Society in 1841. Since the institution of the Edinburgh Ecclesiastical Commission, Mr. Grant was one of its members, and for some time its Chairman. In 1843 he became collector of the Ministers' Widows' Fund, which office he held till 1860, when he resigned. In 1840 he received the degree of D.D. from the University of Glasgow, and the University of Oxford in 1854 conferred upon him the distinction of D.C.L.

In 1854 the Church of Scotland elected him to be Moderator of that venerable body. After retiring from St. Mary's in 1871, he still took a keen interest in many public matters. An honorary member of the Harveian Society, he acted as Chaplain to that body for fifty-three years. At the 106th festival in 1888, the title of Pontifex Maximus of the Society, which had long been in abeyance, was conferred on Dr. Grant. He was also a director of the Scottish Widows,

Fund for many years, secretary of the Scottish Bible Society, and was a Fellow of the Royal Society of Scotland.

He died on 25th July 1890. He is survived by four sons and one daughter, his eldest son being Mr. Andrew Grant, Ex-M.P. for the Leith Burghs.

REV. ROBERT MACDONALD, D.D.

ROBERT MACDONALD was born in Perth in 1816. He received his preliminary education in the Grammar School there, and afterwards studied at the University of St. Andrews. After finishing his Arts course, Mr. Macdonald entered the Theological Hall of the University of Edinburgh. At this time religious controversy was carried on very keenly in Scotland, the adherents of Voluntaryism and those who advocated the Establishment principle were in fierce conflict, and within the Church of Scotland itself the Evangelicals, having gained the majority, were endeavouring to effect reforms which were strongly opposed by their opponents, commonly called Moderates. Robert Macdonald was deeply interested in the discussions that were continually going on, and came to be of opinion that the Evangelical party were in the right. Shortly after receiving licence, Mr. Macdonald was presented to the Parish Church of Blairgowrie, and was ordained by the Presbytery of Meigle in June 1837.

When the Disruption took place in 1843, Mr. Macdonald never hesitated to cast in his lot with the Free Church. Most of his flock adhered to him, and he soon again found himself surrounded by a large and flourishing congregation. Mr. Macdonald always took a deep interest in education, which he considered to be the most effectual means of promoting the best interests of the community. Deeply impressed with this sound idea, at a meeting of the General Assembly of the Free Church held at Glasgow in October 1843, he brought forward his sagacious

and well-considered plan of raising £50,000 to aid in building 500 schools in connection with the Free Church. The Assembly received the proposal most favourably, and Mr. Maedonald, in order to explain his plan and secure subscriptions, visited almost every district of Scotland, and such was the effect of his exertion that within six months the amount actually realised was £65,000. Mr. Maedonald received the



thanks of the Assembly for his arduous labours in promoting this scheme. By Lord Young's Education Act the Free Church schools were superseded, but every genuine lover of his country ought to remember with gratitude the efforts of those who did what lay in their power to overtake the great educational deficiency which unquestionably existed. In June 1883 he was presented with the handsome testimonial of £3450 in recognition of his arduous labours.

In 1857, Mr. Macdonald removed from Blairgowrie to the pastoral charge of North Leith Free Church congregation, which then worshipped in North Junction Street. Such was the acceptability of the ministrations of Mr. Macdonald that the place of worship was soon found to be too small to accommodate those who attended, and steps were taken to procure a more suitable church. A site was secured in the Ferry Road, and the present large and elegant church was built, which is seated for 1100 people, costing, with the Sunday School, upwards of £9000.

Mr. Macdonald took an active part in public movements for the social, educational, and religious improvement of those amongst whom he resided. He was an accomplished theologian, and his pulpit discourses showed that they were the utterances of a man who had an intimate and extensive knowledge of the subject which he set forth. Messrs. Nelson of Edinburgh issued a handsome volume of between six and seven hundred pages written by Dr. Macdonald, entitled *From Day to Day ; or, Helpful Words for Christian Life*, a book of daily readings for a year. On 15th of June 1887, Mr. Macdonald celebrated his ministerial jubilee. The occasion was one of exceptional rejoicing amongst the Free Church people, not only in Leith, but also in the city of Edinburgh, and special meetings took place to celebrate the event in a fitting and appropriate manner. The degree of D.D. was conferred on him by the University of St. Andrews in 1870, and twelve years later he was appointed Moderator of the General Assembly. He died in Edinburgh on 23rd August 1893, and was survived by three daughters, one of whom is the wife of Professor Grainger Stewart, and two sons, the elder of whom is Mr. A. Macdonald, C.A.

REV. DAVID THORBURN, D.D.



DAVID THORBURN, the son of William Thorburn, merchant in Leith, was born 31st August 1805. He received his early education at the High School of Leith, then at the High School of Edinburgh, after leaving which he entered the University of Edinburgh. Having passed through the curriculum of Arts, he entered the Theological Hall, in which he distinguished himself by his assiduity.

David Thorburn was licensed as a probationer by the Presbytery of Edinburgh, and immediately after was asked by the Rev. Dr. Robertson, of South Leith Parish Church, to become his assistant. At Dr. Robertson's death in the following year, he was presented to the Second Charge of South

Leith Church by the incorporations and other patrons. He was ordained on 14th March 1833. In the same year he took the degree of Master of Arts at the University of Edinburgh. In the important sphere of labour to which he had been appointed, Mr. Thorburn exerted himself to the utmost to promote the interests of vital religion, by doing everything in his power to confer the most precious benefits on the people who had been committed to his care. Mr. Thorburn belonged to the Evangelical party, and his advent to the Presbytery of Edinburgh gave that party the majority of one, so evenly were the parties then balanced. He naturally took the deepest interest in the controversy, and when the Disruption took place, he cast in his lot with the Free Church of Scotland. A good many of the congregation of South Leith Church followed him, the services being held in the Methodist Chapel at the foot of Leith Walk. In the course of time a church was built at the Links for the congregation. This was the first South Leith Free Church. When this church was destroyed by fire in 1879, a more commodious church was erected at the foot of Easter Road, and there the Rev. Dr. Thorburn ministered until the infirmities of age rendered him unable to devote himself as formerly to the work which for a number of years had devolved on the Rev. J. S. Macdonald, his colleague and successor.

In 1843, the year of the Disruption, Mr. Thorburn married Miss Jane Hay, the daughter of John Hay, Esq., shipowner in Leith. In politics Mr. Thorburn was an ardent Liberal, and supporter of Mr. Gladstone, until that distinguished politician adopted the Home Rule policy of Mr. Parnell. The agitation for the Disestablishment and Disendowment of the Church of Scotland was also a matter of keen regret to him, and as a consistent Free Churchman the defection of the leaders of the Free Church from the Establishment principle caused him the deepest grief, and filled him with anxious forebodings for the future.

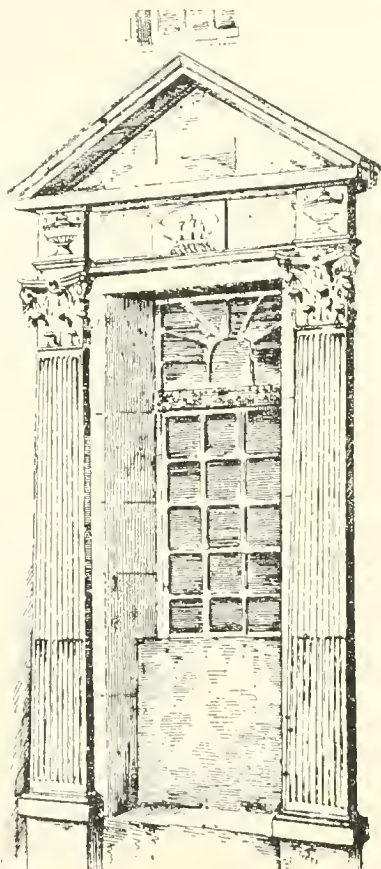
Mr. Thorburn was the author of several works: *The Divine Origin and Perpetual and Universal Obligation of Tithes*, 1841; *The Divinely-Prescribed Method for the Support*

*of the Clergy, the Ordinance of Religion and the Poor, 1847; The Constitution of the Deacons' Court, 1847; The Sustentation Fund of the Free Church of Scotland, being a Plea for the Return to the Principles on which the Fund was Established, 1852; Historical Review of the Legislation of the Free Church of Scotland on the Subject of the Sustentation Fund for the Christian Ministry, 1855; Supplementary Review on the same, being a Reply to Remarks on the Historical Review by the Rev. Sir Henry Moncreiff, Bart., and the Rev. Drs. Candlish and Buchanan, 1855; How to get rid of Parliamentary Grants to Rome, or, The Means to be Adopted towards Procuring the Reversal of a Romanising and the Adoption of a thoroughly Protestant line of Policy on the part of the Government of Great Britain, 1860; Memorandum relative to the Tri-centenary of the Reformation from Popery in Scotland, submitted for the Consideration of the Committee in Commemoration of that important National Event appointed by the General Assembly of the Free Church of Scotland, held at Edinburgh, May 1860, and of the Members of the Free Church generally, 1860; Suggestions relative to the Formation of a National Association which shall have for its object the securing primarily for Scotland, ultimately for the British Empire, the Full Benefit of the Reformation of the Sixteenth Century, 1863; Memorandum relative to the University Endowment Movement, Edinburgh, 1866, and the Crisis in Scotland, or, The Scottish Church Question, and what is now the Duty, not of Scotland alone, its People and its Churches, but of every British Patriot, 1877. The work on *The Divine Origin and Perpetual and Universal Obligation of Tithes*, is generally regarded as the standard work on that subject.*

From his gentleness of disposition and self-sacrificing liberality, he was often imposed on, not only in his private charities, but also in public matters, by those who took advantage of his well-known character. As a pastor, Dr. Thorburn was very attentive, faithful, and affectionate, and was much loved and highly respected by his people.

On 14th March 1883, Mr. Thorburn celebrated the jubilee of his ministry in Free South Leith Church, when most interesting testimonies of the affection and esteem in which

he was held were given by ardent friends and admirers. In April 1886, the degree of Doctor of Divinity was conferred on him by the University of Edinburgh. He died at Moffat on Tuesday, 23d August 1893. He was survived by a son, Mr. J. Hay Thorburn, merchant, Leith; an elder son, Mr. W. D. Thorburn, advocate, who contested the Leith Burghs in the Conservative interest in 1885, having predeceased his father by several years.



WINDOW IN LORD BALMERINO'S HOUSE.

APPENDIX

APPENDIX

No. 1

ACT of PARLIAMENT against Piracy.

OUR Sovereane Lady, vnderstanding the intollerabill skaith sustenit thir mony zeires byganes be the merchandis of hir hienes realme throw granting of letters of marque to vmquhile Robert Bartoun of Ouerbarntoun and Andro Bartoun and certaine vthers thair colligis vpone the King of Portingall and his subjectis and of the vngodlie taking of gudis had throw culloure and pretence of the saidis letters of marque betuix the liegis and subjectis of his Maiesteis realme and the foirsaid King of Portingall his liegis and subiectis thair of, For remedie to be had thairintill ordanis Speciall letters to be direct to mak publication at mercat crocis of the haill heid burrowis of this realme to all our Sovereign Ladyis liegis that name of thame tak vpone hand ony wayis to mell or intromit with ony of the saidis Portingallis gudis or geir thairefter, chargeing thame quha dois in the contrare that thai and ilk ane of thame salbe haldin as violent spulzearis and intromettaris with the saidis Portingall gudis and forther to incur the danger and perell of the laws anent the restorance thair of to the parteis damnifeit thairthrow be pretence of the saidis letters of marque. (*Act Parl. Scot.*, vol. ii. p. 544).

The act just cited is the XXIII. in the edition of 1566 ; but the XXV. in Thomson's edition.

No. 2

BANISHMENT of John Forbes, John Welsh, and Others.

"THE maner of thair depairtoure wes this: The 6 of November, about four eftirnoone, they wer desyrit to come to the boat quhilk wes preparit for thame, be the Watter Baillie of Leith and Edinburgh; quho, obeying, come, accompaneit with sume of thair dearest freindis and wyffes to the poire, quhair thair wes a guid

number of peiple waiting on, to tak the guid-night at thame, and to sie thame, but eftir thair cumming hither, Mr. Johne Welsche conceivit a prayer, quhilk bred great motioune in the heartis of all the heareres. Prayer endit, they tuk guid nycht of thair freindis, wyffes, and many uthir wel-willeres quho wer present, enterit into the boat, quhair they remainit a guid space waitting on the skipper, quho, becaus he wes not ready that nycht to goe aboard, and lyeing in the schipp, they wor desyrit by the Watter-Bailie, either to goe aboard and lye in the schipp that nycht without the skipper, or eles to goe to thair ludgeing that nycht, and be ready at the nixt call.

"They, by Godis speciall providence, ehusite to goe to thair ludgeing; for that nycht come on a great storme, that the schippe wes forcit to saiff her selff in Kinghorne road all that nycht. They wer callit againe by tuo houres in the morneing; quho, obeying, come to the schore and peer, accompanieit as the nycht befor, no small concurse of peiple being with thame, beyond expectatioune, so airly to sie thame boat. Prayer conceivit as befor, by Mr. Johne Welsche, they imbarkit, giving many exhortatiounes to all to hold fast the truth of the doctrine quhilk they had deliverit; for the quhilk, they doutit no thing to lay down thair lyffis, let be to suffer banischment; adding thairto, that quhilk they sufferit wes the great joy of thair conscience. In the meane tyme, the marineris haistit thame away, they not being abill to speik longer, nor we to heir, that both the courage and joye they had in God mycht be manifest to all, they depairtit out of our syecht, making us to heir the comfortabill joye quhilk they had in God, in singing a Psalme."—*Autobiography and Diary of Mr. James Melville (Wodrow Society Edition, 1842)*, page 669.

No. 3

"NOTORIAL copied Contract between Quene Douiar, in name of her derest dochter, Marie, Queene of Scotland, and Robert Logune of Restalrig, anent the Superioritie of the Town of Leith. Penultimo, January, 1555.

"The penult day of Januar, the zier of God one thousand fyve hunder and fyftie-fyce zeirs.

"COMPEIRING before us Nottards, underwritten, the most illustr, mightie, and most potent princes Marie of Loraine, quene douviar, and regent of this realme of Scotland. In the name and behaff of ane high, excellent, and mightie princes Marie, be the grace of God,

queene of the said realme of Scotland, hir derest dochter on the one pt, and Robert Logane, squyre, laird of Restalrig, on the other pt, hav maid the pactiounes, conventionnes, and aggreiment, and confessit to have sauld, anallied, quithit, and transferrit, and be thir pntis sellis, analies, quytelames, and transferts to the said lady, in the said name, and to the utilitie and proffit off our said soverane lady, hir derest dochter, hir airs and assigns, all and haill his superioritie of the town of Leyth, togedder wt the proppertie of the Linx thairrof, and all rygt tht he formerlie, as barrown of Restalrig, hs or may have yrto, exceptane a ways the superioritie of lands lyand within the said town, pertenand to the Abbay of Hailyruid-hous, and other spirituall lands haldan immediatlie of our said soverane lady, to be haldan and possessit of the said lady, in name of her derest dochter, the said superioritie and proppertie of Leith, the pertinentis and of the same subjectis, as houss's, tenendries, garedings, orchyeardis, conynggares and grises with the Linx, as the haill town and Linx lye well in lenth and breid, and as his predecessors, and the lairds of Restalrig, has bruiket and ryght in yaress, and his dayes bygane, reservand and accept and allanerlie the twa mylnes beaud the ptenentis of the said laredshype of Restalrig, placit and situat on the river of Lyth, besyde the town. The qlk are noyht in this pnt venditioun qtenet, but ar ressrvit to the said Robert, his airs and assigns, as with power and libertie granted to him be the said lady, by and in her said derest dochter's name, to big and build, or caus big and build, and edifie hir sd lands maid mylnes on the said river on the bounds and marches that may rest to him be resonn of his lairdship of Restalrig, and to sell and uplift the multr of all cornes and victulle of all the inhabitanes and burgess of Leyth, qlk sall be subject and haldin and grund byand allne at his mylnes, and nane oyers sua and as they hav dne in tyme bygane, and as he and his predecessors has bene accustomed to possess and enjoy be resonn of their mylenes And the said lady dowar, in hir sd dochter's name, sall neuer pretend to make impediment to the said Robert, his airs nor assigns, in the building and edifying of the said mylnes in tyme cuming. The said venditioune and alienatioun maid for the pryce and sume of three thousand poundis; the qlk sume the said lady, in hir said derest dochter's name, hs promissit to pay, or to caus qtent, and pay to the seller, within three zeires neest after the dait heroff, the qlk venditioun being accedit as said is. The said sellar hs now pntlie resynit and denudit him of the said town, tenentis,

plinentis, and dependentis, and resyns without revocatioun, to the said noble lady, in hr said derest dochter's name, her profit of the same, and qsent to give, start, and saisine yrf, and has promissit and obligit him be the paeth and agth, to warrand the said venditioun agt all hobbles and impediments against law, and that as freele against himself as against uthers, and against all, and never to gaisay the samyn. To the qlk he has obligit himself, his airs and assigns, guids moveable and immoveable, pnst and to cum. And for the mair securitie and observiug of the premiss's, biath the parties foresaid has accedit and ar qtent that thir pntes be recordit in the buik of regastar of ye soverane Lady's counsell, fr to serve every ane of the parties in tyme and place, as sall be necessar. Maid, recevit, and past, at Edinburgh, in the Abbay of Halyraid-house, the day and dait foresaid, in the presence of thr noble men of the David, Bishop of Ross, William, Earl Mershell, Albert Earl of Cassells, Alexander, Earl of Glencairn, Sir John Ballenden, of Johnne Robbesone, and Johnne McNeill, publicit nottars, witnesses callit thereto, and thir pnitis ar subscryvit be beath the parties hans, and witness foresaid, sequuntur subscriptiones.

"MARIE R.

"ROBERT LOGUNE of Restalrig.

"Extractit furth of the protocoul and rolles off umqll Jon Robesone, notr publict, comon clerk of Lyth, by me, Archibald Nowell, nottar publict and keeper of the same, witnessing thereto my signe and subscription manualle. Sic subscribitur.

"Ita est Archibaldus Nowell, notarius publicus."

No. 4

ASSIGNATION of the Reversion of the Superiority of Leith by Queen Mary to the Earl of Bothwell.

[*Translation*]

MARY, by the grace of God, Queen of Scots to all her goodmen to whom the present letters shall have come greeting. Know ye that we, recalling to memory the manifold good, true, and faithful service devotedly rendered not only to our late dearest mother Mary, Queen of our realm for the time in our less age, but also to ourselves, a well in France as in this our realm, for the furtherance of our honou

and authority in the punishment of thieves, malefactors, and transgressors within its bounds, by our trusty cousin and counsellor James, Earl of Bothwell, Lord of Hailes, Creighton, and Liddesdale, High Admiral of our realm, who had commission and authority to this effect, in the discharge of which he put his body and life in great peril; and also in the performance and furtherance of our said service alienated and impoverished his own estate beyond the sum of 20,000 merks of this our realm. And we, considering that out of our substance, honour, and bounden duty we ought to reward and recompense our trusty cousin and counsellor with a casual token of gratitude, which we can advantageously bestow on him, so that he may be more able in all time coming to perform also the same service in all cases and opportunities. In compensation for which premises, and for divers other reasonable causes and considerations moving us, we have made, etc., the said James Earl of Bothwell, etc., and his heirs male whomsoever our lawful, etc., assignees in and to the Letters of Reversion granted, etc., by Sir Simon Preston, of that ilk, knight, the provost, bailies, councillors, and community of this our burgh of Edinburgh, for themselves and their successors, etc., to us and our heirs, successors, and assignees, for the redemption, etc., of the superiority of the whole town of Leith, etc., impledged by us to the said provost, etc., and alienated on reversion, for the sum of ten thousand merks, usual money of the realm, to be counted and computed in the parish church of Edinburgh on a notice of forty days, as is expressed in the said Letters of Reversion, etc., of date 8th October 1565, etc. [The rest is form, and contains a clause of absolute warrandice.] In testimony whereof we have had our great seal appended to these presents. At Edinburgh, the fifteenth day of the month of February, in the year of our Lord one thousand five hundred and sixty-six years, and of our reign the twenty-fifth.

THE GREAT SEAL ENTIRE.

No. 5

RATIFICATION of INFECTMENTS to Sir John Maitland of Thirlestane, Knight.

“*HOLYROODHOUSE, 7th July 1587.*

AND als our souerane Lord and his thre estaittis foirsaidis for the causses abone-spezifit and of thair certane knowlege hes ratifiet and appreuit and be the tennour heirop ratifies and appreves our said souerane lordis lettres vnder his grite seill, grantit and gevin to his

said Ry^t traist counsallour, makand him and his airis his hienes vndowtit cessioneris and assignais in and to the lettres of reversioun maid be the prouest, baillies, counsall, and communitie of his hienes burgh of ed^r to our said souerane lords vmqle derrest moder his oiris and successouris for redemptioun fra thame of the superioritie af the toun of ley^t within the said sherrefdome of Edinburgh annaliit be our said souerane lordis umquhile derrest moder under reversion contenand the soume of 10,000 merkis, usual money of this realme, as the said reversioun and the saidis lettres of assignation under the grait seill at mair lenth purportis." (*Acts of Parl. of Scot.*, vol. iii. p. 490.)

"Holyroodhouse, June 5, 1592. Ratification to my lord of Thirlestane, Chancellor. And als our soverane lord and estaitis having sene and considderit the assignation maid be our soverane lord to the said Johnne lord Thirlestane, his aris, and assignais, off the reversion maid be the provost, bailies, counsall, and community of Edinburgh to his umquhile derrest mother, his airis, and successouris for redemption of the snperioritie of Leith . . . his Hienes and estaitis ratifies and appreis the same." (*Acts of Parl. of Scot.*, vol. iii. p. 629 a.)

No. 6

MINUTE OF CONTRACT betwixt King Charles I. and the Earl of Roxburgh; and The Magistrates of Edinburgh and Ministers, as Governors of Heriot's Hospital, etc., anent the irredeemable right of the Barony of Broughton, Superiority of Canongate, etc.

MINUTE of Contract superscribed by King Charles the First, and subscribed the persons underwritten, by which Minute it was agreed, that there should be a Contract drawn up betwixt Robert, Earl of Roxburgh, with consent of the King for His Majesty's interest, and His Majesty for himself his own right with consent of the Earl of Traquair, Lord Treasurer, and the other Lords of Exchequer, on the one part; and the Provost, Bailies, Ministers and Council of the City of Edinburgh, as Feoffees in Trust and Governors of Heriot's Hospital; and also the said Provost, Bailies, and Council for themselves and their successors, representing the Body and Community of the said Town of Edinburgh to their own behoof respective, on the other part; by which Minute it was agreed that there should be a Contract drawn up betwixt the parties foresaid proceeding upon the narrative

of a Contract, of date 9th and 5th days of June and August 1630, betwixt His Majesty, with consent of the Lords of Exchequer on the one part, and the said Earl of Roxburgh on the other part; which Contract and Infeftments thereon were ratified in Parliament in July 1633: Narrating also that His Majesty was pleased to make offer to the said Provost, Bailies, and others above specified, of the Right of the lands and barony of Broughton, etc., which offer the Town of Edinburgh and Ministers were content to accept: Also that the said Earl of Roxburgh should, by the Contract to follow upon the said Minute, dispone to the said Provost, Bailies, and Council for themselves and their successors, representing the whole Body and Community of the said Burgh, "All and hail the particular Lands, Superiorities, Regalities, and others following, viz: the Burgh of Regality of the Canongate; that part of the Town of Leith, lying on the north side of the Water and Bridge of Leith, and that part of the Town of Leith lying on the south side of the said Water, sometime pertaining to the Abbey of Holyrood House, and now pertaining to the Barony of Broughtoun," etc. etc.

Dated at Edinburgh, 8th Aug. 1636, in the twelfth year of the King's reign.

INVENTORY, Charter-House, Edinburgh, vol. iv. p. 317, 1636.

CHARTER to the Burgh of Edinburgh.

CHARTER by King Charles the First, dated at Newmercatt 23 October 1636, in favour of the City of Edinburgh, ratifies charters formerly granted, twenty-five in number, and among the rest (1) Charter by Robert Bruce, King of Scotland, to the provost, bailies, councillors, and community of the burgh, and their successors, of the port of Leith, mills and other pertinents thereof, holding of his Majesty as freely in all respects as in the time of King Alexander, for payment of fifty-two merks; dated at Cardros 28 May, 24th year of his reign. (3) Charter by King James the Third to the same, of all and sundry customs of the Port of Leith, and the road (raid) thereof, holding of the Crown in manner stated in said Charter, dated 16 November 1482. (4) Charter by the late Sir Robert Logane of Restalrig, knight, to the same, of all and sundry passages and ways leading to the Port and Harbarie of Leith and from the same, with various other liberties, privileges, and immunities; dated 31st May 1398. (5) Charter of Confirmation by King James Fourth of the Charters (3) and (4) dated at Stirling 9th March 1510-11. (6) Charter by King James Fourth to the provost, &c. of Edinburgh, and their

successors, of the lands and port of Newheavin, with the heavin silver and other profits and dues thereto pertaining dated also 9th March 1510–11. (7) Charter by Henry and Queen Mary to the same, of the superiority of all and whole the town of Leith, as well of the inhabitants within the same as of the houses, tenements, annual rents, Links, orchyards, profits, dues, services, tenants, tenandries, services of free tenants of the same, at length expressed in the said infeftment: dated 4 October 1565. (8) Letter of King James the Sixth assigning to Sir John Maitland of Thirlestane, knight, his Chancellor and Secretary, a letter of Reversion granted by the said provost, bailies, &c., to Queen Mary, her heirs and successors, for the redemption from them of the said superiority of the town of Leith, disposed to them under reversion for 10,000 merks usual money of the Kingdom of Scotland dated 26 July 1587: with the Act of Parliament ratifying the said assignation dated 29 July same year, together with the renunciation of the said Reversion made by John Lord Thirlestane, son and heir of the aforesaid Sir John, in favour of the said provost, &c.: dated 28 December 1604: and ratification thereof by the same lord Thirlestane to the said provost, &c., dated 24 November 1614: (9) Charter by King James VI. to the said provost, &c., of the Jurisdiction of the Port and Harborie of Leith, making and constituting them judges between shipmasters and sailors in Leith, and all other shipmasters and navigators, as well subjects as foreigners, coming there with their ships and barks for the time, in all actions and causes of a seafaring kind, and other causes whatsoever; with power of making acts and statutes for the increase of navigation within the said town of Leith: and also disposing to the said provost, &c., the prymgilt to be levied for sustaining the poor and needy sailors within the same town, arising from the freight of each tun of goods to be applied for the use of the said poor, &c., dated at Whitehall 3 April 1616. (18.) Charter by the same King of the *joalyerie* of the salmon, herring, and white fishes, dated 19 October 1618. (19.) Charter by the same King to the provost, &c., constituting them overseers of the cloth, *the stemming stuffs* and *stokings* made in Edinburgh and in the town of Leith: dated 8 March 1621: The King also grants *de novo* to the said provost, bailies, &c., the said city, and *inter alia* the common mills on both sides of the Water of Leith, the town and low land lying between the rocks called Craigencaat on the east, and the common road towards the town of Leith on the west, with the lands of old called Greinsyde, with the

leper house and garden thereon situated, and the port custom-house and dock of Leith, the *road* of Leith, bulwarks of the same, and freedoms as disposed in the charter of Sir Robert Logane, with the ways, &c., and especially the customs of the said port, namely, the heavin silver, anchorage dues, dok silver, golden pennies, shore silver, and other casualties of which the said provost, bailies, &c., have been the possessors beyond the memory of man : also all and whole the land of old called the *common clossettis*, lately called the *Bus* with wooden enclosure near the said town of Leith, lying in the north end thereof, and on the east side of the harbour and bulwark of the same : also the waste ground or sands thrown up by the sea on the east and north parts of the said Bus and enclosure, to be extended and amplified by them at their will, with enclosures or otherwise, as far within the flow and ebb of the sea as can be won, and reduced to dry land : also all and whole those two pieces of land lying together, with houses thereon, now possessed by the said provost, &c., of which the one contains in breadth from east to west 51 ells, and in length from south to north 63 ells, with the fort and mount of the same, and the houses situated thereon, called Little Lindoun, lying at the east end of the town of Leith ; and the other piece of land of the same length and breadth, on the south side of the said other piece, having the Links on the east and south, and the common passage on the west : Also All and Whole the ground and lands where the west bulwark of the port of Leith is for the present situated, on the west side of the water of Leith, and port aforesaid, together with the waste land and sands about the said west bulwark on all sides thereof as far as the sea flows, in its flow and ebb ; and in like manner all and whole the lands and town of Newheavin and bounds thereof, between Saint Nicholas Chapel and Weirdie brow, with the harbour, mouth, dock and road thereof, with the links, houses, &c., freedoms and customs thereof, heavin silver, schoir silver, anchorage dues, dok silver, golden pennies, imposts, customs, rents, taxes and casualties of the same, with the whole ways and passages leading to the said port of Newheavin, and from the same to the City of Edinburgh, uniting, erecting and incorporating the said whole lands, docks, bulwarks, &c., to and with the said royal city or royal burgh of Edinburgh, as one city or burgh royal : Moreover the King grants *de novo* to the said provost, &c., the said superiority of Leith, which he erects into a Burgh of Barony with power to the said provost, &c., to elect bailies, &c. : To be holden the said superiority of the town of Leith, &c., of the King

and his successors, in free heritage and free barony for ever for payment of one penny of blench ferme.

REGISTRUM MAGNI SIGILLI,—Lib. lv. No. 282.

CHARTER to the Provost, Bailies, Council and Community of the Burgh of Edinburgh, of the Burgh of Regality of the Canongate, and others within written, etc.

CHARTER by King Charles the First, in favour of the Provost, bailies, councillors and community of the burgh of Edinburgh, granting to them the Burgh of Regality of Canongate, and that part of the town of Leith which lies on the north side of the water and bridge of Leith, Together with that part of the same town of Leith lying on the south side of the water of Leith, which formerly pertained to the Monastery of Holyrood, and lies west from the houses called the Blak Volts, with all bounds, lands, tenements, &c., feu-fermes, burgal fermes, and other duties formerly belonging to the said monastery, with all right and title of the fishing port, customs, and tithes thereof, &c. To be holden of the King in fee and heritage. Dated at Whitehall, 11 December 1639.

REG. MAG. SIG. Lib. lvi., No. 116.

No. 7

CITY CLERK'S REPORT TO THE COUNCIL, dated 1806, on the Title of the Town to their Property, etc., in Leith.

IN obedience to the remit upon the representation of Mr. Rankin, the shoremaster of Leith, what follows is humbly reported for the information of the Lord Provost, Magistrates and Council, by Charles Cunningham, their assistant conjunct clerk.

This representation of the shoremaster appears to be made with a view to procure such information as shall enable the community of Edinburgh to fix the exact limits of their property in the harbour of Leith, in regard to which some discussion has lately taken place before the Supreme Court with their vassals in the mills of Leith; and though it is not easy to trace these limits from any description in the ancient title-deeds, yet such a deduction of the town's right shall be made as will enable them to ascertain these boundaries and the exact extent of their other valuable property in the town of Leith, in a regular process of declarator (if such shall be deemed proper) before the competent court.

In doing this, I shall begin (1) with the right of property in the harbour, and the streets, ways, and passages therewith connected.

(2) It shall be shown in what way the town acquired the superiority of Leith, and the property of the links, etc., and a detail of some facts attending this transaction shall be submitted to the Magistrates and Council, more as a matter of curiosity, on account of the circumstances under which it took place, and the jealousy with which it has always been viewed by the inhabitants of Leith, than as in any way affecting the rights of the community.

(3) The mode in which the predecessors of the Magistrates and Council acquired the property of Leith mills shall be pointed out : First, With regard to the property of the harbour, etc., of Leith.

It appears that this was vested in the community of Edinburgh at a very early period, for in the fourteenth century King Robert the Bruce, 8th May 1329. by a charter under the great seal, "Gives, grants, and in feufarm demits, and confirms to the burgesses of the burgh of Edinburgh, his foresaid burgh of Edinburgh, together with the harbour of Leith, mills, and other pertinents, which used justly to belong to them in the reign of King Alexander, his Majesty's predecessor, last deceased, for payment of fifty-two merks yearly."

At this time it appears that the Magistrates and Council did not enjoy any property in the village of Leith.

Towards the end of the fourteenth century, Logan of Restalrig, whose property stretched along the southern bank of the river, granted to the town their first right to any property connected with Leith harbour.

By a charter, bearing date the 31st May 1398, and which is registered as a probative writ in the books of Session, 10th December 1731, he gave, granted, and confirmed to his neighbours, the burgesses, and community of the city of Edinburgh, free power, faculty, and licence, of casting and carrying away the earth and gravel lying upon the bank or shore of the Water of Leith, for enlarging and lengthening their port of Leith, whenever and as often as they pleased, and for placing and making a bridge over the said Water of Leith, within and upon his lands, whenever they should think fit ; to fix their anehors or other tackling whenever they pleased, without said port. He also gave and granted to them all his ways, roads, and passages, wherever they pleased, through his lands of Restalrig and town of Leith, with power to make new roads of sufficient length and breadth whenever they pleased. About fifteen years subsequent to the date of the preceding grant, the same Logan confirmed to the 27th Feb. 1413.

community, for the service of the common weal of the burgh, a space of ground, as therein described, for placing their goods and merchandise thereon.

25th Sep. 1445. About the middle of the fifteenth century, letters-patent were granted by King James II. during pleasure, of the different duties therein specified on every ship entering the port, for repairing and enlarging the same, and these duties, a few years afterwards, were, by letters-patent of the same prince, made perpetual.

In the year 1471, King James III., by a grant under his privy seal, bestowed upon the Magistrates and Council certain other duties and customs; and by a charter under the great seal, in the twenty-third year of his reign, these were confirmed and extended.

9th Mar. 1510. In the beginning of the sixteenth century King James IV. granted a charter, by which the preceding charter is confirmed, together with the original grants by King Robert de Bruce and Logan of Restalrig. At this time also, the Magistrates and Council of Edinburgh acquired the port and harbour of Newhaven.

28th July 1553. The next writing extant with respect to Leith harbour, is a gift under the signet of Mary Queen of Scots, of so much of her Majesty's lands as might enable the town of Edinburgh to build a bulwark of stone and lime.

It will be observed that hitherto the Magistrates and Council only enjoyed a right of property in the harbour, with the streets, ways, and passages leading thereto, and certain customs and duties, all which will be found afterwards to be most amply confirmed by King James VI. and King Charles I.; but, as the superiority of Leith was acquired about this time, and as both are contained in these confirmations, I shall now proceed to show—

Secondly, the manner in which the superiority of Leith, with the property of the links, was acquired by the town, etc.

The valuable rights and privileges of the city of Edinburgh, connected with Leith, have never ceased to be viewed with a most jealous eye by the inhabitants of that port, who, from the earliest period of that connection, have made frequent attempts to throw off their vassalage, either by boldly asserting that their independency had been wrested from them by fraud, or by secretly and gradually undermining the influence of the Lord Provost, Magistrates and Council. Against attempts of the former kind, the just rights of the city of Edinburgh have always prevailed; but against those of the latter, the mode of attack being secret, the success of the Magistrates and Council has been less decisive.

The great argument of the inhabitants of Leith is founded upon the circumstances of the transaction, and a detail of these, it is presumed, will not be unacceptable to the Magistrates and Council.

At the time of the Reformation, Mary of Lorraine, the mother of Mary, Queen of Scots and Regent of Scotland, resided frequently in the village of Leith, which she considered the most convenient station in this part of the kingdom for her French troops, as affording, from its maritime situation, the greatest facility to their introduction. With this view she determined to fortify the place, a measure that met with the most decided opposition from the confederate nobles, but in which she succeeded by conciliating the inhabitants, with a promise of erecting their town into a free and royal burgh.

Before proceeding to state the different writings which took place for the purpose of carrying this promise into effect, I beg leave to quote the following passage from an address of the confederate nobles, in answer to a proclamation by the Queen Regent when her French troops were in possession of Leith, as it not only conveys to us, in a clear manner, the popular opinion of the day with regard to the transaction, but is curious on account of the jealousy which then is stated to have subsisted between the inhabitants of Edinburgh and Leith, in terms which, unluckily, with too much truth, might be used in the present day.

“That all men might know the just title her daughter and she had to the town of Leith, we shall in a few words declare. It is not unknown to the most part of this realm, that there had been an old hatred and contention betwixt Edinburgh and Leith, Edinburgh continually seeking constantly to possess the liberty of Leith, which, by donation of ancient kings, they have long enjoyed; and Leith, by the contrary aspiring to a liberty and freedom in prejudice of Edinburgh, the Queen Regent, a woman that could make her profit at all hands, was not ignorant how to compass her own business; and therefore secretly she gave advertisement to some of Leith that she would make their town free, if that she might do it with any colour of justice. By which promise the principal men of them did travel with the Laird of Restalrig, a man neither prudent nor fortunate, to whom the superiority of Leith appertained that he should sell his whole title and right to our sovereign for a certain sum of money, which the inhabitants of Leith paid, with a large taxation more to the Queen Regent, in hope to be made free in despite and defraud of Edinburgh, which right and superiority when

she had gotten, and when the money was paid, the first fruits of their liberty, they now eat with bitterness, is, that strangers shall possess their town; this is the just title which her daughter and she might claim to that town.”¹

6th Jan. 1555.

The first authentic paper relating to this bargain with the Queen Regent, is a procuratory by the inhabitants of Leith to some of their number, to transact with her Majesty anent the erection of their town and links into a free royal burgh. It proceeds upon the narrative that Robert Logan of Restalrig, for the weal of the inhabitants of Leith, had agreed with the Queen Regent, in name and behalf of Mary, Queen of Scotland, her daughter, anent the resignation of the town of Leith and links, with the pendicles and pertinents thereof into her Majesty's hands, to remain with her Majesty, her heirs, successors, or assignees, and chiefly to the effect that the said town and links, with the pertinents, might be erected into a free burgh. Therefore the said inhabitants constituted the four persons therein named, to concord and agree with the Queen Dowager anent the erection of the said town, with the links and pertinents, into a free burgh.

29th Jan. 1555.

It appears that these Commissioners had urged their suit with great assiduity; for so early as the 29th of the same month in which they were appointed, a contract was entered into between the Queen Dowager for behalf of Mary, Queen of Scots, on the one part, and Robert Logan of Restalrig on the other, whereby he sold, annaillied, and transferred to the said Queen Dowager, in the name and for the use and profit of her Majesty Queen Mary, all and haill the superiority of the town of Leith, together with the property of the links thereof, and all rights he for any cause begone and to come, as Baron of Restalrig, had or might have thereto, reserving and excepting allanarly the two mills being part of the said lordship of Restalrig, situate on the Water of Leith, beside the town, with power to him to build more mills on the said water as he thought fit, on the bounds that might remain to him of his said lordship. For this he was to receive £3000 Scots, within three years after the date of the contract.

Of the same date, with the preceeding deed, the Queen Regent entered into a contract with the inhabitants of Leith, which proceeds upon the narrative, that they had offered to pay £3000 to Logan,

¹ Stewart's *History of the Reformation*, App. 227. (This first occurs in Knox's *History of the Reformation*.)

and had promised as much timber as would repair the King's Work on the shore, and to pay an annual rent perpetually out of every tenement built or to be built in the town of Leith, provided the said Queen Dowager, in her daughter's name, was pleased to erect the said town with a free burgh.

This deed contains mutual obligations of fulfilment under a declaration, that if the Queen Mother could not make her daughter consent to the freedom and privileges foresaid, she was to restore to the inhabitants the said price of £3000 with the value of the timber.

That the inhabitants of Leith did accordingly pay the stipulated price of £3000, is ascertained by a receipt to them for the sum, under the hand of Logan of Restalrig. 18th Aug. 1559.

Shortly after this period it appears that the exigencies of the state required a considerable supply in money, and the Magistrates and Council, on behalf of the community of Edinburgh, having advanced to their Majesties the sum of 10,000 merks (which was raised by voluntary contribution from the inhabitants) received in consideration thereof a charter of the superiority of Leith, with the links and pertinents, from Mary, Queen of Scots, and her husband, the titular King Henry, upon which a receipt was issued forth of the chancery, of the same date, for giving infeftment to the Magistrates. That sasine followed thereon, in favour of the town of Edinburgh, within the tolbooth of Leith, and upon the ground of the links, appears by an instrument under the hands of John Mossman and James Millar, notaries public, bearing date the 7th October 1565, three days after the date of the charter. On the day following the date of this charter, the Magistrates granted a letter of reversion to their Majesties of the whole particulars contained in the last-mentioned charter, upon repayment of the sum of 10,000 merks, to which the Earl of Bothwell a few months afterwards acquired right 25th Feb. 1566. by assignment from Queen Mary.

Her Majesty, it would seem, had very soon repented of this transaction with the Magistrates regarding the superiority of Leith; and with the view, no doubt, of availing herself of the right of redemption, was very eager in her requests that they would delay taking possession of their newly acquired property. The first request she made not having met with much attention, she renewed the subject in a very pressing letter, bearing date the 15th day of April 1566, and the Magistrates and Council acceded to the request by granting the delay. Encouraged by the deference which they Council Records,
30th Oct. 1566. had thus shown to her wishes, she was induced to solicit a further

delay ; and by a letter addressed to the Provost, Bailies, Council, and community of Edinburgh, upon the 7th of October following, not less curious on account of the earnestness with which she presses the request, than for the proof it affords of the high value in which she held the grant. She says, "In our necessitie we annaliit to you the superiority of our towne of Leith, and yet at our desire and request ye haiff supersedit the putting of yourselves in possession of it. It is nocht unknown to you quhat we have ado, and yet with the first we purpose, God willing, to redeem that thing we esteme precious and meikle worth. We are assured yit as of before ye will not spier to gratify us so meikle as to suspend the possession and intronission with oure said towne, quill the last day of December next to come, quaireunto we pray you and requistes earnestlie and effectiously that ye will do us verray thankful and acceptable pleasure. This is sufficient, gif ye mind to shaw any benevalence at oure desire ; and gif ye do not, we man thoill it, and provid the next best. But we trust suirle ye will not stand with us in sic ane matter."

This letter, it would appear, had also produced the desired effect ; for it was not until the 2nd day of July in the following year, that the Council ordered a court of superiority to take possession of Leith, according to the powers purchased by them, and the citizens to march to the links of Leith in their military accoutrements.

The Magistrates having at length entered upon their new jurisdiction, appear to have exercised it over their vassals in Leith with a rod of iron ; for, a few years afterwards, the crafts or trades of that town having chosen deacons, they were summoned before the Council for usurping the liberties and privileges of free trades in an unfree town, and were ordered to prison until they should renounce the name of deacon, and divest themselves of all pretension to the claim of freemen in the unfree town of Leith. The trades, however, did not dispute the matter in controversy, but submitted themselves to the Magistrates as their lords and superiors, and a decree was thereupon passed to ascertain the rights of the community over their vassals in Leith.

That the value of the town property and superiority of Leith had also been held in much estimation by King James, is evident from a letter written by that Prince to the Lord Provost and Magistrates, and earnestly requesting that the same might be restored to him. This request, however, was answered by a deputation sent to the King at Stirling, to demonstrate to him the right of the town to the

Council Records,
9th June 1570.

3rd Dec. 1577.

said superiority and links, and it does not appear that this demand was farther urged.

The Earl of Bothwell, to whom the town's letter of reversion had been assigned by Queen Mary, having been attainted, King James VI. made another assignment of it to his secretary Maitland, which was purchased by the town from his son, Lord Thirlstane, in the year 1605.

The first assignment having become vested in the person of Sir George Seton of Hailes, in right of the donator, to the forfeited estate of James, Earl of Bothwell, was disposed gratuitously by him to the Magistrates in the year 1652.

In the year 1603, King James VI. granted a charter in favour of the town, whereby all their former rights to the harbour and superiority, etc., of Leith were ratified and confirmed. This charter, on account of the many valuable privileges and immunities it contains has obtained the name of the town's "Golden Charter," an epithet which the inhabitants of Leith, in their famous contest before Oliver Cromwell's council, say it well deserves, seeing it was purchased with the gold of the city. Sasine followed hereon by precept from the Chancery, under the hand of Mr. John Hay, depute town clerk, dated 5th October 1611.

It having been found expedient to restrict several of the jurisdictions and grants contained in the before-mentioned charter by King James, a voluntary resignation of the whole was made into the hands of King Charles I., who, in the year 1636, granted them a new charter, by which all former grants, relating to the harbour and superiority of Leith, are fully ratified and confirmed.

Thus it appears that the titles of the Magistrates and Council to the harbour of Leith and its appendages, and to the superiority of that town and property of the Links, are undoubted; and that their possession has suffered no other interruption than what has proceeded from the occasional attempts of the inhabitants to rid themselves of a vassalage, more grievous in idea than in reality, but to which they have never yielded without great jealousy and much reluctance.

Thirdly, How the property of the mills of Leith came to be vested in the Lord Provost, Magistrates, and Council.

Although the charter of Robert de Bruce, in the year 1329, contains the harbour of Leith, mills, and other pertinents, it is by no means clear that these are what are now termed Leith Mills. The expressions in that old charter are very general, and in all probability

were meant to apply to other mills on the Water of Leith ; for it appears that at the time the Queen Regent acquired the superiority of Leith from Logan of Restalrig, those mills were then in his possession ; and they are specially excepted in the contract of sale entered into between him and the Queen Dowager, upon which the charter of superiority by Queen Mary and her husband Henry to the town proceeds.

The head of the family of Restalrig having been concerned in the Gowrie conspiracy in the year 1600, he was, according to Robertson, tried for high treason a considerable time after his death, his estates forfeited, and his family declared infamous.

In the year 1722, it appears that Leith Mills, with other property belonging to the family of Logan, were in the possession of Lord Balmerino ; by what progress he had acquired these, it is not necessary for the present purpose to enquire.

In the same year, 9th October, an Act of Parliament was obtained, entitled, An Act for enlarging the time granted by an Act made in the third year of his Majesty's reign (George I.), for continuing the duty of two pennies Scots upon every pint of ale or beer sold in the city of Edinburgh, etc., by which the Lord Provost, Magistrates, and Council were authorised, out of the monies thereby to arise, to purchase the superiority of Calton, back of Canongate, and Yardheads of Leith, and the property of the Calton Hill and *Leith Mills* ; and for the purpose of ascertaining the price, a submission was entered into between the Magistrates and Lord Balmerino, in terms of the foresaid Act of Parliament, to certain arbiters, who accordingly decreed his Lordship to grant a valid right to the foresaid superiority and property, upon receiving payment from the Town of £49,000 Scots.

His Lordship having complied with this award, by granting a disposition to the Lord Provost, Magistrates, and Council, a charter of resignation, under the great seal, of the whole property, was passed in their favour upon the 22nd of June 1725, upon which sasine followed upon 6th and 10th August of that year, and is recorded in the particular register for the shire of Edinburgh the 19th of the same month.

Shortly after the acquisition of the property of Leith Mills, the widow of the tenant renounced the lease in favour of the Magistrates, her new masters, and they afterwards set the property in tack to Andrew Wardrop, merchant and burgher of Edinburgh.

In the month of July 1728, an Act of Council was passed, agree-

ing to feu these mills to this same Mr. Wardrop, for £25 per annum ; and in September following, a feu contract was entered into between him and the Magistrates ; and, from the original feuar, the property has descended by a regular progress to the present vassal.

Upon a review, therefore, of the titles of the town of Edinburgh to their different properties and privileges connected with Leith, it is plain that although the object of the shoremaster, in so far as concerns the ancient limits of these, is not to be attained, yet that the Magistrates and Council are in every view feudally vested in the property, and in a situation to commence whatever actions of declarator they may be advised to raise.

The above is respectfully reported to the Lord Provost, Magistrates, and Council.

(Signed) CHAS. CUNNINGHAM.

No 8

THE ARTICLES sent from Craford, Lanerk, and others, to the Lords and others in arms at Leith.

For the Right Honourable the Lord Humby and the Lord Ley, to be communicated to the Lords and Gentlemen now in armes in and about Edinburgh. Quhereas in obedience to the comands of the Parliament and Comittee of Estates, wee have been ingaged to hazard our lives for the preservation of Religion, the King's rescue, and peace of the Kingdoms: And since it hath pleased God to suffer many of our Army to fall in this cause, we have been necessitated, such of us as was in England, to return unto this kingdom, . . . being most willing to hazard our lyves in prosecution of the ends of the Covenant, for the good of Religion, King, and Kingdoms, in such a way as mutuallie shall be agreed upon by Church and State. But if they shall have no further use of our service, we shall most chearfully lay doune our charges, . . . in order whereunto we desire the ensuing articles may be condiscended unto.

1. That no thing be done to derogate from the honour and auctoritie of Parliament and Comittee of Estates.

2. That the officers and souldiers now in arms be their auctoritie may be provided for and interteyned, if there shall be anie further use of their service.

3. If there be no further use of their service, wee desire that the articles and conditions agreed to by the Parliament and Com-

ittee of Estates with General Maior George Monroe and the forces com from Ireland with him may be punctually observed to them.

4. If the Scottish forces be thought fitt to be disbanded, that their great losses and paines may be taken in consideration.

5. That seeing this late engagement was made be auctoritie of Parliament, wee desire that none who have entered thereunto be questioned therefore, or for any act or deed done by them relating thereto, but that they enjoy all their honours, fortunes, and offices in state with wther civill places whatsoever.

6. That an effectual course may be condiscended on for releife of our friends who are now detained prisoners in England.

7. That the Committee of Estates may meet with freedom in the ordinarie place of meeting, that they be the advyse of the Kirk may consider of the danger to Religion, his Majestie and his posterity, and the peace and safety of his Kingdoms, that by their joynet advyse such ways may be taken as may best secure Religion, preserve his Majesty and posteritie, and quyet the distempers, and for the better removing of all differences and preventing the ingageing in a civill warre, which of all things wee doe abhorre, we shall authorize four of our number, with full power from ws, to treat and conclude upon the best wayes for settling and putting to an happie end all their unhappie divisions. Wee expect your answer betuixt and tuelf a clock at noon the nyynth of this instant September 1648.

HADINGTOUN, the 8 of September at 10 at night.

<i>Sic subscribitur,</i> CRAFTURD LINDSAY,	LANERK,
SIR JO. INNEIS,	JOHN HOME,
G. MONROE,	ROBT. INNEIS, AL. DUNCAN,
J. LYON,	JO. WATSON, RO. LESLIE,
GEO. OGILVIE,	LEDINGTOUN.

The Commission in respect of the papers now received from Crafturd and other Noblemen and officers in armes at Hadingtoun, thinke fitt, for correspondence with the Noblemen and Gentlemen with the forces come from the West and now at Leith, to repair to Leith presently to the South Kirk, and there with these Noblemen and Gentlemen confer vpon the matters.

After conference with the Noblemen and Gentlemen at Leith, and serious consideration of the letter and Articles sent from the Noblemen and Gentlemen at Hadingtoun, the Commission resolved to returne this answer:—

RIGHT HONOURABLE,—Wee received your Lordships letter

with a copie of the articles appoynted to be communicate by the Lords Humby and Ley to the Lords and gentlemen in armes in and about Edinburgh, which articles are so contrary to perfect desires and right inclinations to a lawfull and just peace, as that we cannot but look upon them as things destructive to the Covenant and Religion and to the safety of the Kingdome, because they involve an approbation and carrying on of the Engagement against the Kingdome of England, which, by the Generall Assembly, is condemned as unlawfull and contrarie to God's word. Therefore it doth clearly appear that it is not the pursuing of personall prejudices against any of your Lordships, or preferring of those to the peace of the Kingdome, that is endeavoured, but the pursuing of the ends of the Covenant for securing of Religion, vindicating the liberties of the subjects in their consciences, persons, and estates, and preserving the union between the Kingdome, for which cause, if you shall refuse the offers made unto you by the noblemen and gentlemen here convened, vpon you certainly and your families shall lye the guilt of all the blood shed, and consequences that shall follow thereupon. But if your Lordships shall hearken to those offers, we shall be ready to send some of our number alongst with these that shal be nominate by the Lords and gentlemen here, to endeavour a right understanding in all things; And in the meanwhile we expect that your Lordships and your forces will keep the solemn Fast and humiliation appointed by the late General Assembly, now by Divyne Providence trysting with the affairs, that you may begg of the Lord to open your eyes to see the unlawfulness of your late Engagement, that you may repent thereof, and desist from every evil course tending to the prejudice of Religion and the peace and happiness of these Kingdome, and in every thing behave your selves according to your solemn professions. And so wee continue,

Your Lordships servants in the Lord.

LEITH, *9th September* 1648.

Direct: To the Right Honourable the Earles of Craford, Lanerk and vther Gentlemen with them at Hadingtoun.

No. 9

THOMSON'S ACTS OF PARLIAMENT.

1649 c. 141—VI. ii. 212 587a. The Estats of Parlement graunts power and warrant to the Comittee appointed for visiting the castell of Edr., with aduyfe of the generall officers the provest and some of

the toune of Edr. to goe down to Leith and tak to consideratioun the present conditionn of the fortificatioun to the said Burgh, with power to same to give order for doeing of what they shall think farder necessarie for repairing of the same fortificatioun, etc.

1650, VI. 601a. At Edinburgh the fourt day of July 1650 yeires, the Estates of Parliament doe hereby give warrand and command to the magistrates of Edinburgh and committee of fortification of Leith to this present and effectuall course for securing the harbour of Leith, and ships and boats lying therein.

No. 10

PROCLAMATION.

WHEREAS it has pleased God, by His gracious providence and goodness, to put the city of Edinburgh and the town of Leith under my power; And although I have put forth several Proclamations, since my coming into this country, to the like effect with this present. Yet for farther satisfaction to all those whom it may concern, I do hereby again publish and declare.

That all the inhabitants of the country, not now being or continuing in arms, shall have free leave and liberty to come to the army, and to the city and town aforesaid, with their cattle, corn, horse, or other commodities or goods whatsoever, and shall there have free and open markets for the same, and shall be protected in their persons and goods, in coming and returning as aforesaid, from any injury or violence of the soldiery under my command, and shall also be protected in their respective houses. And the citizens and inhabitants of the said city and town shall and hereby likewise have free leave to vend and sell their wares and commodities, and shall be protected from the plunder and violence of the soldiers.

And I do hereby require all officers and soldiers of the army under my command, To take due notice hereof, and to yield obedience hereto. As they will answer the contrary at their utmost peril.

Given under my hand at Edinburgh the 14th of September 1650.

OLIVER CROMWELL.

To be proclaimed in Leith and Edinburgh by sound of trumpet and beat of drum.

No. 11

Proclamation.

To be proclaimed by the Marshal-General by beat of drum, in
Edinburgh and Leith.

WHEREAS there is an agreement of articles by treaty concluded betwixt myself and Colonel Walter Dundas, Governor of the Castle of Edinburgh, which doth give free liberty to all Inhabitants adjacent, and all other persons who have any goods in the said Castle, to fetch forth the same from thence.

These are therefore to declare, That all such people before mentioned who have any goods in the Castle, as is expressed, shall have free liberty between this present Thursday, the 19th instant, and Tuesday the 24th, To repair to the Castle, and to fetch away their goods, without let or molestation. And I do hereby farther declare and require all Officers and Soldiers of this Army, That they take strict care, that no violation be done to any person or persons fetching away their goods, and carrying them to such place or places as to them seemeth fit. And if it shall so fall out that any Soldier shall be found willingly or wilfully to do anything contrary hereunto, he shall suffer death for the same. And if it shall appear that any Officer shall, either through connivance or otherwise, do or suffer "to be done" anything contrary to and against the said Proclamation, wherein it might lie in his power to prevent or hinder the same, he, the said Officer shall likewise suffer death.

Given under my hand the 19th of December 1650.

OLIVER CROMWELL.

No. 12

DALKEITH, 26 Feb. 1656.

GENERAL MONCK to the PROTECTOR.

May it please your Highnesse,

I THOUGHT fitt to accompanie this inclosed letter with some lines of mine to your highnesse, that if you could conveniently spare £5000 towards the carrying on of this worke of the cittadel at Leith, I thinke itt would be much for the advantage of the service, which I conceive may bee a meanes to make the worke defensible this summer, and a great deale of benefitt to your highnesse, besides the securitie of the place and the advantage wee may have by laying the fewer men there, if any troubles should bee. And if your

highnesse please to advance this sume towards itt, the £500 a month out of the assembly heere will come the sooner in for the service of your highnesse, and soe there will be no losse to the state butt only the advance of the monie which if your highnesse please to take into consideration, and can finde conveniently a way for doing of itt, I am confident with this sume the worke will bee very defensible, if itt be paid within a month or two to us, though there will nott bee many houses built besides storehouses which wee may doe at leasure.

It will bee impossible for us to raise this sume out of any monies payable heere, unless your highnesse please to order itt out of the £40,000 for forfeited lands, if itt bee not otherwise ordered already. And I hope your highnesse will finde, that this worke will be more advantageous to you then all the rest in Scotland, when itt is once finished, being itt will keepe in awe the chief citty of this nation, and will be so convenient, in case you should have occasion to send any forces, that you may have a place for provisions for them, which as itt was before could not be kept under 3000 men, and that not with safety neither, if any considerable enemy should come before itt. I thought itt my duty to represent this unto your highnesse for the expediting of the worke, being I know nott what trouble we may chance to meet witall; the sooner it is secured I conceive it much the better, whatsoever may happen. Col. Wilkes having at large acquainted your highnesse with the full state of the cittadel as now itt is, which was begun in June last, there hath bin much worke done, and I shall not need to say any more concerning that, but leave the rest to his letter. (*Acts of Parl. of Scot.*, vol. vi. pt. 2. p. 905.)

DALKEITH, 21st March 1656.

GENERAL MONCK to the PROTECTOR.

P.S.—I make bold likewise to put your highnesse in minde of sparing one £5000 for the workes at Leith; which you would finde much advantage by, if there should be occasion of trouble (p. 906.)

April 22 1656.

THAT a letter be written to Generall Moncke signifying his Highness and the Counsellis approbacion of makeing a Citadell at Leith and that the Five hundred pounds per mensem reserved of the Monethly assessm^t on Scotland shal be contynued and applied to that service and also that one thousand poundes towards that worke be charged

upon that third part of the Revenue of the Exeise not already charged, And recommending it to his care that the same be donne effectually and yet with as little charge as possible to the Comonwealth. (*Acts Parl. Scot.*, vol. vi. pt. 2 p. 759.)

August 4, 1657.

ORDER in reference to the payment of £3000, towards the charges of the Citadel now building at Leith in Scotland. (*Acts Parl. Scot.*, vol. vi. pt. 2 p. 764.)

DALKEITH, 2 June 1657.

GENERAL MONCK to SECRETARY THURLOE.

Honored Sir,—

I received both your letters of the 26th and 28th of May, and returne you many thanks for your care of providing us some monies for the cittadel at Leith. Truly itt will bee very needfull; and I do nott see how the monie can bee better bestowed. I thanke you for the inclosed order, which you sent. I have examined the account, and I finde there will be about £8000 more then is already charged: soe that I think his highnesse and the counceill may safely dispose of soe much monie towards that good worke, if they shall soe think fitt; and to that purpose I have returned the inclosed order to you againe, and desire you will afford your assistance in procuring of it passed and signed.

P.S.—In case his highnesse please to grant an order for the £4000, shall undertake to make the cittadel at Leith very defensible this summer against any enemy. (*Acts Parl. Scot.*, vol. vi. pt. 2 p. 907.)

DALKEITH, 17 February 1658.

GENERAL MONCK to SECRETARY THURLOE.

P.S.—I doubt nott butt your lordship will bee advised withall, concerning our contingent monies, what is fitt to bee allowed us at present. There is £850 monthly paid out for the workes; and for Invernesse £200 to St. Johnston's, and £200 for Ayre, and £350 monthly for Leith cittadell; for the workes would stand still if hee should nott helpe them, being all that which they were to have out of the excise, is gone; so that I cannot conceive there can be less allowed than £1100 monthly, as there was before for repaire of garrisons, bedding, carriage of provisions, and other contingent charges. (*Acts Parl. Scot.*, vol. vi. pt. 2 p. 919.)

THE STATE OF THE DEBTS OF THE COMMONWEALTH.

.
.
More for the Citadel at Leithe,	.	.	.	.	.	£1800	0 0
.

(*Acts of Parl. of Scot.*, vol. vi. pt. 2 p. 786.)

EXTRACT from Anderson's Calendar of the Laing Charters.

[562.—1550.] Notarial transcript of letters of gift by Robert Logan, of Restalrig, in terms of similar letters by his deceased father, Sir Robert Logan, of Restalrig, knight, granting to the deacon, brethren, and craftsmen of the Cordinar Craft, being of the fraternity of St. Crispin and Crispinianeani in the town of Leith, of the south side of the water of Leith, the privilege of making congregations and statutes for the welfare and upholding of the altar of St. Crispin and Crispinianeani situate in said town of Leith, and chaplain of the same, and for ingathering of the weekly penny of the said craftsmen, etc., with power to receive from strangers and others taking up "buih" (or shop) in the town, such duties as are payable in Edinburgh, Perth, and elsewhere, for uphold of the said altar and chaplain, etc., and as the original letters were burnt during the sack of Leith by the Earl of Hertfort, lieutenant of the King of England, in May 1544, the granter renews the same privileges, and promises to be held in conjunct fee for one penny blench, to be paid at Martinmas, if asked. Dated at Dornoch, 12th March 1550-51. No witnesses stated. Seal wanting. Signed "Hugo M^cray, of Camisave, w^t my hand." [2473, box 63.]

INDEX

INDEX

- ADAM, JOHN, II. 369.
 Admiralty Court, authority of, II. 381.
 Agricola, Emperor, I. 1.
 Aitken, Provost, biographical notice of, II. 546.
 Albany, Duke of, I. 140, 144, 162.
 Amalgamation Scheme, II. 350.
 Anderson, Dr. Charles, II. 322.
 Angus, Earl of, I. 163, 167.
 Anne, Princess, of Denmark, I. 463.
 Antoninus, Wall of, I. 3, 4.
 Archibald, Bailie, biographical notice of, II. 551.
 Armada, Spanish, I. 460.
 Armstrong, Rev. John, II. 193.
 Arnot, Hugo, biographical notice of, II. 189.
 Arran, Earl of, I. 188, 441, 443, 447, 449.
 Arsenal, Leith as a royal, I. 99.

 BAILIE COURTS, irregularity of, II. 128.
 Bailies for Leith, letters-patent appointing, I. 233, II. 77.
 — election and appointment of, I. 398, 486, 498, II. 166.
 — change in appointment of, 1792, II. 179, 233 ; 1826, II. 233.
 — powers and jurisdiction of the, II. 236.
 — appointment of, 1827, II. 247.
 — water. See Water-bailies, Water Courts.
 Balantyne's Bridge, I. 94.
 Balmerino, John Elphinstone, first Lord, II. 95.
 Balmerino, Arthur, last Lord, II. 161.
 Baloon ascent, first, II. 184.
 Barts of Leith, I. 118, 120, 146, 154, 158, II. 40, 42.
 Barton, Andrew, I. 117.
 Bass Rock, English garrison on, II. 51.
 — wild birds on, I. 515.
 Bath stove, II. 183.
 Baxters of Leith and the Jacobites, II. 166.
 Beaton, Cardinal, I. 173, 186, 191, 315.
 Bell's Schools, II. 321, 367.
 Bennet, Provost, biographical notice of, II. 549.
 Bernard Street, Roman remains at, I. 6.
 Berwick, Treaty of, II. 98, 99.
 Blackness Castle, I. 377.
 Black Parliament, I. 348.
 Blind Asylum, Edinburgh, II. 185.
 Boats, hire of, for the King, 1429, I. 42.
 Bombards, I. 43.
 Bonnington Mills purchased by Edinburgh, II. 93.
 Boot, torture of the, II. 132.
 Botanical Gardens, II. 436.
 Bothwell, James Hepburn, Earl of, I. 335.
 Bothwell, Francis, Earl of, I. 456, 512, 518.
 Boundaries of Leith, I. 16, II. 246, 248.
 Bourse, the, I. 303, 308, 407, 429, 481.
 Bowling Green Street, bridge at, II. 371.
 Branding of criminals, II. 181.
 Branks, the, II. 62, 63.
 Breda, Treaty of, II. 107.
 Bridge of Robert Balantyne, I. 94.
 Bridges of Leith, I. 478, 479.
 Britons, the, I. 4, 9.
 Broad Wynd, I. 474.
 Broughton, town of, I. 15.
 Burgess Close, I. 21, 293.
 Burntisland, attempted jurisdiction over, I. 499.
 Burstall, Timothy, II. 318.

 CALTON, I. 230.
 — bought by Edinburgh, II. 151.
 — Hill, II. 151.

- Campbell, D., II. 194.
 Canal between Leith and Lanark, II. 178.
 Carrick, marriage of Earl of, 1329, I. 20.
 Carters, historical account of Leith, II. 422.
 Cassilis, Gilbert, third Earl of, I. 233.
 — fourth Earl of, I. 351.
 Chain Pier, II. 315.
 Chancelot Flour Mills, II. 369.
 Channel Fleets visit Leith, II. 371.
 Charles I. proclaimed, II. 95.
 — nearly drowned, II. 95.
 — and golf, II. 403.
 Charles II. proclaimed, II. 107.
 — visits Leith, II. 108.
 — accession of, II. 126.
 Charters, Grants, etc., affecting Leith—
 1128. Foundation charter of Abbey of Holyrood House, I. 15.
 1329. Grant of Port of Leith to Edinburgh by King Robert Bruce, I. 20, App. 1.
 1398. Grant of Shore to Edinburgh by Sir Robert Logan, I. 21, App. 2.
 1414. Grant of ground to Edinburgh by Sir Robert Logan, I. 28, App. 4.
 1428. Charter instituting dues at Port of Leith, I. 29 (App. 5), 41.
 1444. Obligation to say mass by master of St. Anthony's Hospital, I. 31, App. 6.
 1445. Renunciation of the annexation to Preceptory of St. Anthony of the Church of Lyston, I. 32, App. 7.
 1445. Letters - patent authorising dues at the Port of Leith, I. 47, App. 19.
 1448. Grant of lands to Hospital of St. Anthony by Sir William Crichton, I. 32, App. 8.
 1454. Confirmation of letters-patent authorising dues at the Port of Leith, I. 50, App. 20.
 1454. Indenture between Edinburgh and Sir James Logan, for maintaining freedom of town, I. 50, App. 21.
 1458. Grant of lands in support of chaplaincy of Hospital of St. Anthony by Thomas Turing, I. 33, App. 9.
 1470. Grant of land to Thomas Lindsay by preceptor of Hospital of St. Anthony, I. 33, App. 10.
 Charters, Grants, etc.—*continued.*
 1471. Letters - patent authorising dues at the Port of Leith, I. 55, App. 22.
 1482. Charter of confirmation of dues at the Port of Leith, I. 64 (App. 23), 65.
 1482. Grant of Largo to Sir Andrew Wood, I. 70.
 1490. Charter of chaplaincy in St. Mary's, I. 77, App. 24.
 1491. Grant of rent to Monastery of St. Anthony by Elizabeth Lauder, I. 33.
 1493. Foundation charter of St. Ninian's Church, I. 87, App. 25.
 1496. Let of tenements belonging to William Murehouson to Preceptory of St. Anthony by Sir John Logan of Restalrig, I. 34, App. 12.
 1510. Grant of the Port of Newhaven to Edinburgh by James IV., I. 138, App. 28, II. 457.
 1510. Agreement concerning annual rent between John Bertoun and Preceptory of St. Anthony, I. 34, App. 13.
 1510. Grant of rents to Holyrood House in exchange for lands at Newhaven, I. 115.
 1513. Bull appointing sacristan of Hospital of St. Anthony, I. 34, App. 14.
 1517. Charter of infeftment of the lands of Gogar to Sir Robert Logan, I. 127.
 1519. Sasine of rent to John Innes by Hospital of St. Anthony, I. 35, App. 15.
 1523. Sasine of land to Elizabeth Lawson by Hospital of St. Anthony, I. 35.
 1552. Sasine of annual rents to Preceptory of St. Anthony by Magistrates of Edinburgh, I. 36.
 1555. Purchase of superiority of Leith from Sir Robert Logan of Restalrig by Mary of Lorraine, I. 231, II. 77, App. 3.
 1555. Contract to erect Leith into a burgh of barony by Mary of Lorraine, I. 231, II. 77.
 1555. Letters-patent to inhabitants of Leith to choose bailies by Mary of Lorraine, I. 232, II. 77.
 1555. Charters of the corporations of Leith, II. 77.
 1567. Assignment of superiority of Leith to Earl of Bothwell by Queen Mary, II. 80, App. 4.

Charters, Grants, etc.—*continued*.

1567. Grant of lands to mariners of Leith by Preceptory of St. Anthony, I. 36.
1569. Charter to inhabitants of Leith of Chapels of St. Ninian and St. Nicholas by burgh of Canongate, I. 90, 93, App. 26.
1572. Grant of property belonging to Preceptory of St. Anthony to Town Council of Edinburgh, I. 37, App. 17.
1587. Reversion of the superiority of Leith to Lord Maitland of Thirlstane, II. 89, App. 5.
1592. Grant of lands, etc., belonging to Preceptory of St. Anthony to John Hay by the King, I. 37.
- 159—. Charter of feu-farm of lands, etc., belonging to Preceptory of St. Anthony to Daniel Hay by John Hay, I. 38.
1596. Resignation of lands, etc., of Preceptory of St. Anthony by John and Daniel Hay, I. 38.
1596. Resignation by Edinburgh of lands, etc., of Preceptory of St. Anthony held by them to the King, I. 38.
1596. Grant of lands of Preceptory of St. Anthony, within Leith and Restalrig, to Kirk Session of South Leith by the King, I. 38, App. 18.
1603. "Golden charter" of James VI., ratifying former charters in favour of Edinburgh, II. 91.
1631. Grant of tithes to Kirk Session of North Leith, I. 89.
1636. Contract between Charles I. and city of Edinburgh, II. 91, App. 6.
1639. Ratification of former charters in favour of Edinburgh by Charles I., II. 91, App. 6.
1639. Grant of superiority of Holyrood and North Leith to Edinburgh, II. 91, App. 6.
1725. Charter of resignation of the property of Leith Mills, Yards-heads, etc., to city of Edinburgh by Lord Balmerino, II. 151.
- [See also City Clerk's Report to the Council (1806) on the title of the town to their property, etc., in Leith, II. App. 7.]
- Chartist agitation, II. 324.
- Cholera, II. 320, 372.
- Church attendance census, II. 370.
- and Crown, struggles between, II. 5, 57.
- Church lands, Charles I. and the superiority of, II. 94.
- offences, II. 61, 65.
- of Our Lady, Star of the Sea, II. 362.
- unity, efforts of James VI. towards, II. 57.
- Churches, Leith. See separate headings.
- communion plate of, II. 426.
- communion tokens of, II. 429.
- Citadel—
1653. Cromwell orders its erection, II. 119, App. 12.
1656. Money given by Edinburgh for its erection, II. 93.
1660. Partial destruction of the Citadel, II. 123.
1660. Acquired by Edinburgh, II. 123.
1715. Taken possession of by Macintosh of Borlam, II. 149.
1833. Relic of Cromwell found, II. 321.
1865. Part of wall found, II. 365.
- Citadel, book printed at the, II. 122.
- Chapel, II. 120, 123.
- description of, by John Ray, II. 119.
- description of, by Campbell, II. 124.
- district of, II. 238.
- glass manufactured at, II. 121.
- Roman remains at the, I. 8.
- City Agreement Act, II. 293.
- Clerk's Report to the Council on the titles of the town to its property in Leith, II. App. 7.
- Civil War breaks out, 1559, I. 265.
- breaks out, 1638, II. 96.
- Clergy refuse to pray for Queen Mary, I. 461.
- Clerical intolerance after the Revolution, II. 134.
- Coalbill, I. 336.
- district of, II. 237.
- Coatfield Lane, II. 10.
- Cock-fighting in Leith, II. 411.
- Collecting plates of South Leith Church, II. 429.
- Colquhoun, Rev. John, biographical notice of, II. 553.
- Commerce of Leith. See Trade.
- Communion plates of South and North Leith churches, II. 426.
- tokens of South and North Leith churches, II. 429.
- Congregation, Lords of the, I. 265, 275, 318.

- Constables of Leith, II. 156, 228, 236.
 Contracts, etc. See Charters.
 Co-operation in Leith, II. 368.
 Cordiners of St. Crispin, gift by Robert Logan to, II. App. 13.
 Cordwainers, Incorporation of, II. 77, 81, 155.
 Covenant, subscribing of the, II. 102.
 Covenanters, persecutions of the, II. 130, 131.
 Craftsmen of Edinburgh, privileges of, I. 67, 476.
 — of Leith, I. 390, II. 80.
 — charters of Incorporation, I. 233, II. 77.
 Craightenny, II. 455.
 Cranes, I. 503, II. 182.
 Cromwell, II. 109, 112.
 — proposed statue of, II. 116.
 — relic of, found in Citadel, II. 321.
 Custom House, II. 312.
 — goods seized, II. 149, 161.
 Customs. See Port of Leith.
- DARIEN SCHEME, II. 141, 144.
 Darnley, marriage of, I. 328.
 D'Aubigny, Lord, I. 434.
 Dean of Guild, powers of the, I. 491.
 — Court instituted, II. 368.
 Deans, William, II. 316.
 Dempster, Henry, "Old Voyager," II. 367.
 D'Esse, Monsieur, I. 223.
 Dickson, Rev. Robert, II. 316.
 Dingwall Castle, I. 375.
 Dock Commissioners. See Port of Leith.
 Docks. See Port of Leith.
 Douglas Wars, the, I. 338-387.
 Drawbridge, construction of Upper, II. 178.
 — construction of Lower, II. 199.
 Duels in Leith, II. 128, 183.
 Dues. See Port of Leith.
 Dunbar, battle of, II. 110.
 Dundee, sack of, II. 112.
 Dury, John, II. 4.
- EDINBURGH : Historical Incidents—
 1313. Castle recovered from the English, I. 18.
 1335. Castle rebuilt by Edward III., I. 22.
 1341. Castle again recovered from the English, I. 22.
 1400. Castle besieged by Henry IV., I. 27.
 1513. James IV. reviews his army on the Borough Muir, I. 124.
- Edinburgh : Hist. Incidents—*contd.*
 1544. Burned by Hertford, I. 197.
 1570-73. Kirkcaldy of Grange holds possession for the Queen's Party, I. 338-387.
 1579. Entry of James VI., I. 435, 439.
 1590. Marriage of James VI., I. 466, 469, 472.
 1610. Lawlessness in Edinburgh, II. 66.
 1638. Charles I. garrisons the Castle, II. 96, 99, 100.
 1640. Castle surrendered to the Convention, II. 101.
 1647. Castle again victualled, II. 104.
 1648. Cromwell enters Edinburgh, II. 105.
 1650. Castle repaired, II. 108.
 1650. Cromwell again enters Edinburgh, II. 110.
 1650-60. Under the Commonwealth, II. 110-115.
 1659. Proposal to erect a statue of Cromwell, II. 115.
 1745. Taken possession of by the Jacobites, II. 159.
 1745. Siege of the Castle, II. 160.
 1832. Empowered to return two members to Parliament, II. 249.
 1833. Town Council reformed, II. 253.
 1833. Insolvency of the city, II. 221, 254.
 1835. Treasurer Black's "View" of the city's affairs, II. 258.
 1835. Select Committee on Leith Harbour issues a Report unfavourable to the city and the creditors, II. 263.
 1835. Burgh Commissioners also report unfavourably, II. 263, 271.
 1835. Reply to above by Treasurer's Committee, II. 267.
 1835. Accountant for the creditors also replies, II. 268.
 1835. Aggregate Committee of Leith reply to treasurer and accountant, II. 269.
 1835. Leith Dock Commissioners issue a statement on the affairs of the Port, II. 274.
 1835. Accountant for the creditors replies, II. 274.
 1836. Mr. Labouchere's report on the city finances, II. 275.
 1836. Creditors reject Mr. Labouchere's proposals, II. 286.
 1836. Treasurer's Committee accept Mr. Labouchere's proposals, II. 288.

Edinburgh: Hist. Incidents—*contd.*

- 1836. Various pamphlets on the state of affairs, II. 290.
- 1836. Warning by the Government to the creditors, II. 291.
- 1836. Select Committee to consider the city affairs appointed, II. 292.
- 1836. Creditors definitely reject Mr. Labouchere's terms, II. 292.
- 1837. Corporation make an acceptable offer of composition, II. 292.
- 1838. Select Committee appointed to adjust matters, II. 292.
- 1838. City Agreement Act passed, II. 292, 293.
- Edinburgh—
- Litigation, proneness to, I. 246.
- Pestilence in, II. 14-20.
- Privileges conferred on, by James III., I. 67.
- Property in Leith, II. App. 7.
- Tournaments in, I. 98.
- Town Council, election of, in 1584, I. 498.
- Town Council reformed, II. 253.
- Edinburgh, Duke of, II. 357, 367.
- Electric Lighting and the Gas Commission, II. 343.
- "Engagement," the, II. 103.
- England, wars with, I. 19, 26, 99, 106, 111, 118, 124, 141, 175, 188, 218.
- James VI. enters into league with, I. 458.
- and Scotland, James VI. and union between, II. 56.
- English Alliance with Lords of the Congregation, I. 275.
- English intrigues and the Reformation, I. 310.
- Episcopalians, Scottish, after the Rebellion, II. 163.
- Excise. See Port of Leith.
- Exports. See Port of Leith.

- FAIRBAIRN, REV. DR., biographical notice of, II. 583.
- Fenian Seare, II. 366.
- Ferguson, R. E. Munro-, M.P., biographical notice of, II. 511.
- Feuds amongst the nobility, I. 516.
- "Fifteen," the, II. 147.
- Figgate Whims, II. 164.
- Fires in Leith, II. 375.
- Fleming, John, D.D., II. 194.
- Flodden, battle of, I. 124, 125, 127.
- Forbes, Bishop, II. 163; biographical notice of, II. 564.
- Forth, Firth of, Committee for defence of, II. 372.

- Forth, Firth of, defences of the, I. 115.
- English raids in the, I. 73, 141, 143, 191, 197, 219.
- Paul Jones in the, II. 171.
- smuggling in the, II. 165.
- Fortifications of Leith, I. 296. See also Leith.
- "Forty-five," the, II. 159.
- France, grant of Crown of Scotland in favour of, I. 263.
- Freemasons, Trafalgar Lodge of, II. 371.
- Freights. See Shipping.
- French, defrauding the, I. 227.
- troops land at Leith, I. 223.
- Leith garrisoned by the, I. 262.
- departure of the, from Leith, I. 288, 291.

- GALLOWLEE, the, II. 136, 437.
- Gas Commission, formation of Edinburgh and Leith, II. 312.
- Gas Commission and electric lighting, II. 343.
- Gayfield, II. 436.
- George IV. visits Leith, II. 225.
- Giants' Brae. See Mount Somerset.
- Gilfillan, Robert, II. 192.
- Gladstone, Sir John, of Fasque, II. 193.
- Gladstone, James, II. 194.
- Gladstone, Thomas, II. 194.
- Gladstone, Rt. Hon. W. E., visits Leith, II. 369.
- biographical notice of, II. 499.
- Gogar, lands of, and Sir Robert Logan, I. 125.
- Golf in Leith, historical account of, II. 400.
- Gordon, Duke of, II. 181.
- Gowrie, Earl of, I. 444.
- Gowrie Conspiracy and Logan of Restalrig, II. 52.
- Graham, Sir Thomas, II. 312.
- Grandgore, the, I. 105, 107.
- Grant, Andrew, M.P., biographical notice of, II. 493.
- Grant, Rev. Dr., biographical notice of, II. 589.
- Granton Harbour, II. 219.
- Grants. See Charters.
- Gray, Master of, I. 447, 448, 453.
- Great Michael*, I. 115, 119, 122, 123.
- Greene, Captain, of the *Worcester*, II. 144.
- Greenside, leper hospital at, II. 36.
- Gunpowder explosion in 1702, II. 180.

- HADRIAN, Wall of, I. 3, 4.
 Hamilton, Patrick, I. 312.
 Harbour of Leith. See Port of Leith.
 Harper, Principal, biographical notice of, II. 580.
 Hawkhill, I. 277, 347, II. 455.
 Henderson, Provost, biographical notice of, II. 538.
 Herring fishing, II. 465.
 Hertford, Earl of, I. 189-197. See also Somerset, Duke of.
 Herwit Rock, II. 365.
 Hesse, Prince of, and the Pretender, II. 161.
 Highlands in early part of sixteenth century, I. 109-111.
 High School (Grammar School). See Leith.
 Holyrood House, foundation charter of, I. 15.
 — regality of Abbey of, I. 179.
 Home, John, biographical notice of, II. 187.
 Honourable Company of Golfers, II. 407.
 House of Call, II. 366.
 Hutchison, Provost, biographical notice of, II. 521.
 Hutchison, William, II. 313.
- IMPORTS. See Port of Leith.
 Improvement Scheme, II. 335.
 Inchcolm, I. 431.
 — plague-stricken on, II. 19, 25, 26, 27, 28.
 Inchkeith captured by the French, I. 225.
 — fortifications of, II. 338.
 Incorporated trades of Leith gain their independence, II. 155.
 Industrial school at Lochend, II. 367.
 Ingram, Thomas, II. 194.
 Inverleith, lands of, I. 15.
 Iron, working of, in Leith, I. 55.
- JACKS, WILLIAM, M.P., biographical notice of, II. 496.
 James I. seized by the English, I. 27.
 — lands at Leith, I. 29.
 — as a trader, I. 41.
 — murder of, I. 44.
 James II. visits Leith, I. 45.
 — marriage of, I. 48.
 — death of, I. 51.
 James III., marriage of, I. 53.
 — and Edinburgh privileges, I. 67.
 — death of, I. 67.
 James IV. encamps on Leith Links, I. 68.
 James IV. and Sir Andrew Wood, I. 68.
 — visits Leith, I. 71.
 — marriage of, I. 110.
 — and his navy, I. 112, 115, 118, II. 456.
 — at Leith, I. 114.
 — his wars with England, I. 99, 106, 112, 124.
 — death of, I. 124.
 James V., guardianship of, I. 140.
 — assumes government, I. 162.
 — marriage of, I. 174.
 — death of, I. 177.
 James VI. assumes government, I. 434.
 — marriage of, I. 463, 524.
 — accession to throne of England, II. 56.
 — visits Leith, I. 464, 469, II. 54, 58.
 — death of, II. 59.
 Jameson, Robert, II. 193.
 Johnston, Rev. Dr., biographical notice of, II. 567.
 Jonson, Ben, visits Leith, II. 69.
 Jongs, the, II. 62.
 Junction Bridge, II. 315.
 — Road, paving of, II. 365.
 Justice, administration of, in sixteenth century, I. 136.
 — administration of, during Commonwealth, II. 115.
 Justices of the Peace, attempt to nominate, II. 239.
- KANTORE, the, II. 134.
 Kellie, Dr. George, II. 320.
 Kidnapping a lawyer, II. 66.
 King James's Hospital, I. 40, 128, 129, II. 138.
 "King's" Party, I. 341.
 King's Work, I. 42, 57, 99.
 — district of, II. 237.
 Knox, John, I. 265, 268, 314, 316, 339, 382, 441.
 Kirkealdy of Grange, I. 276, 338, 365, 380.
 Kirkgate, I. 198, 307.
 — tavern brawl in, II. 130.
 Kirk Session Records, extracts from South Leith, II. 8.
 — extracts from North Leith, II. 16.
- LABOUCHERE, Report of Mr. H., II. 275.
 Lady Fyfe's Brae. See Mount Pelham.
 Lauderdale, Duke of, II. 130.
 Lead-mining, I. 505, 506.
 Leith: Historical Summary—
 In the time of the Romans, I. 1.
 First mention, I. 14.
 Origin of the name, I. 15.

Leith : Historical Summary—*contd.*

- 1313. Garrisoned by the English, I. 18.
- 1322. The English invasion, I. 19.
- 1382. Robert II., his expenses in Leith, I. 26.
- 1400. The English invasion, I. 26.
- 1424. James I. lands at Leith, I. 29.
- 1428. Early domination of the city, I. 41.
- 1436. James II. carried to Leith, I. 45.
- 1449. Mary of Gueldres lands at Leith, I. 47.
- 1469. Margaret of Denmark lands at Leith, I. 53.
- 1481. The Duke of Albany escapes to France, I. 64.
- 1488. James IV. encamps his army on the Links, I. 68.
- 1496. Royal Arsenal established, I. 99, 106.
- 1508. James IV. visits Leith, I. 114.
- 1521. Pillaged by the English, I. 143.
- 1537. James V. and his Queen land at Leith, I. 174.
- 1544. Lennox and his army march to Leith, I. 193.
- 1544. Captured by Hertford, I. 195.
- 1544. Burned by Hertford, I. 197.
- 1548. Second capture by Hertford, I. 219.
- 1548. Second burning by Hertford, I. 221.
- 1548. French army disembarks, I. 223.
- 1548. Fortified by the French, I. 224.
- 1559. Disputes with Edinburgh : interference of the Queen, I. 253.
- 1559. Fortification resumed by the French, I. 264.
- 1559. French reinforcements land, I. 268.
- 1559. Siege of Leith, I. 269.
- 1559. Skirmish at Hawkhill, I. 277.
- 1560. Assault on Leith, I. 281.
- 1560. Departure of the French, I. 288.
- 1560. Destruction of the fortifications, I. 289.
- 1561. Mary, Queen of Scots, lands at Leith, I. 324.
- 1563. Earl of Moray's rebellion, I. 330.
- 1567. Taken possession of by Edinburgh, II. 80.
- 1570. Lennox establishes his headquarters at Leith, I. 336.

Leith : Historical Summary—*contd.*

- 1571. King's Party occupy Leith, I. 341.
- 1571. Skirmish at Hawkhill, I. 347.
- 1571. Fortified by Morton, I. 350.
- 1571. Becomes the seat of government and justice, I. 352.
- 1571. The Provost holds his court in Leith, I. 357.
- 1571. Loyal inhabitants of Edinburgh take up their quarters in Leith, I. 358.
- 1571. Fortifications strengthened by Morton, I. 359.
- 1571. Intercourse with Edinburgh prohibited, I. 359.
- 1571. Treatment of prisoners, I. 366, 373, 374.
- 1572. Money coined at Leith, I. 375.
- 1572. Truce between King's and Queen's Parties, I. 379.
- 1572. Grant to the town of property belonging to the religious foundations, I. 37, App. 17.
- 1573. English troops arrive, I. 381.
- 1573. End of the Civil War, I. 386.
- 1575. Bailies first elected, I. 398.
- 1579. Provost holds court in Leith, I. 408.
- 1579. Esme Stewart arrives at Leith, I. 434.
- 1584. Discontent, I. 437, 438.
- 1584. Claim of rights by the inhabitants, I. 501.
- 1588. Earl of Bothwell and the people of Leith, I. 457.
- 1589. James VI. embarks for Denmark, I. 464.
- 1590. James VI. and Princess Anne land at Leith, I. 468.
- 1594. James VI. in Leith, II. 54.
- 1617. James VI. again visits Leith, II. 58.
- 1616-25. Extraordinary storms, II. 58, 59.
- 1618. Taylor, the Water-Poet, visits Leith, II. 67.
- 1618. Ben Jonson visits Leith, II. 69.
- 1630. Edinburgh attempts to enforce all the old restrictions, II. 92.
- 1635. Leith as the capital of Scotland, II. 70.
- 1638. Civil War begun at Leith, II. 96.
- 1638. Fortifications repaired, II. 96, 97, 108.
- 1639. Marquis of Hamilton attempts to seize Leith, II. 97.

Leith : Historical Summary—*contd.*

- 1639. Treaty of Berwick and Leith, II. 99.
- 1643. Solemn League and Covenant signed at Leith, II. 102.
- 1647. Ordered to be fortified and troops to be raised, II. 103.
- 1649-50. Fortifications ordered to be repaired, II. 108, App. 9.
- 1650. Charles II. visits Leith, II. 108.
- 1650. Scottish army "purged" on the Links, II. 108.
- 1650. Scottish entrenchments between Edinburgh and Leith, II. 109.
- 1650. Entered by General Lambert, II. 110.
- 1650-60. During the Commonwealth, II. 110-115, 120.
- 1652. Inhabitants attempt to regain their freedom from Edinburgh, II. 92.
- 1665-66. Dutch alarms, II. 127, 128.
- 1679. List of dwellers ordered to be made, II. 138.
- 1689. Militia called out, II. 139.
- 1695. Troops quartered in Leith, II. 140.
- 1696. Inhabitants again attempt to regain their freedom, II. 140.
- 1715. Taken possession of by Macintosh of Borlaim, II. 149.
- 1715. Trained bands called out, II. 150.
- 1734. Incorporated trades gain their freedom, II. 155.
- 1736. Excitement over the Spirit Duty Act, II. 154.
- 1739. War declared against Spain, II. 155.
- 1740. Troops permanently quartered in Leith, II. 156.
- 1740. The Meal Mob, II. 158.
- 1745. Trained bands called out, II. 159.
- 1745. Flight of the Royalist forces through Leith, II. 159.
- 1745. Bombarded by man-of-war, II. 160.
- 1745. Review of the Jacobite army on the sands, II. 160.
- 1746. Hessian troops land at Leith, II. 161.
- 1770. First Police Act passed, II. 167.
- 1778-79. Mutiny of Highlanders, II. 168, 170.

Leith : Historical Summary—*contd.*

- 1779. Paul Jones appears in the Forth, II. 171.
- 1779. Anti-Popery agitation, II. 177.
- 1792. Appointment of bailies—new arrangement, II. 179.
- 1795-97. Wave of patriotism, II. 179.
- 1806. New Police Bill opposed by Corporation, II. 222.
- 1806. Second Police Act (46 Geo. III. c. 36) passed, II. 224.
- 1822. George IV. visits Leith, II. 225.
- 1822. First lighted with gas, II. 231.
- 1826. Appointment of bailies—Messrs. Burn, Searth, and Hardie, II. 233.
- 1826. Indignation in Leith, II. 235.
- 1826. Inquiry into the powers of the bailies, II. 236.
- 1826. Attempt to have justices of the peace nominated, II. 239.
- 1826. Provost Trotter and the dinner to the late magistrates, II. 241.
- 1826. Reasons for a new Police Bill, II. 243.
- 1826. Contest over the Bill, II. 245.
- 1827. Third Police Act (7 & 8 Geo. IV. c. 112) passed, II. 245.
- 1832. Reform Act (2 Will. IV. c. 65) passed, by which Leith obtains parliamentary representation, II. 247.
- 1832. Jubilee celebrations, II. 249.
- 1833. Municipal Reform Act (3 & 4 Will. IV. c. 77) passed, by which Leith obtains an independent Corporation, II. 250.
- 1833. Address of gratitude to William IV., II. 251.
- 1835. The Burgh Commissioners issue a Report, dealing with the connection between Leith and Edinburgh, II. 263.
- 1836. Mr. Labouchere's Report and the revenues of the town, II. 282.
- 1838. City Agreement Act (1 & 2 Vict. c. 55); Leith finally separated from Edinburgh, II. 293, 296.
- 1842. Queen Victoria visits Leith, II. 306.
- 1846. Attempt to abolish petty customs, II. 324.
- 1847. Act (10 & 11 Vict. c. 25) passed abolishing petty customs, Dock Commissioners to pay in lieu thereof £500 per annum to Leith, II. 302.

Leith: Historical Summary—*contd.*

- 1848. Police and municipal establishments combined by the Leith Municipal and Police Act (11 & 12 Vict. c. 123), II. 325.
- 1856. Portion of Edinburgh police territory lying within the burgh annexed by the Edinburgh Municipality Extension Act (19 & 20 Vict. c. 32), II. 325.
- 1856. Purchase of the Links, II. 326.
- 1862. General Police and Improvement (Scotland) Act (25 & 26 Vict. c. 101), known as the "Lindsay" Act, passed, II. 328.
- 1862. Agitation to purify the Water of Leith, II. 328.
- 1864. Edinburgh and Leith Sewerage Act passed, II. 330.
- 1869. Water supply put on a satisfactory footing by the formation of the Water Trust, II. 330.
- 1872. School Board formed, II. 333.
- 1874. King of Denmark visits Leith, II. 331.
- 1876. Duke of Connaught visits Leith, II. 331.
- 1877. Police Commission and Town Council amalgamated, II. 331.
- 1877. Dispute with Dock Commission as to vacant piece of ground in Salamander Street, II. 334.
- 1878. Depressed condition of trade, II. 335.
- 1880. The Improvement Scheme, II. 335.
- 1881. Outrages by bushrangers, II. 369.
- 1881. Forts erected on Inchkeith for defence of Leith, II. 337.
- 1884. Dispute with Dock Commission as to rating of the Docks, II. 358.
- 1887. Formation of the Gas Commission, II. 342.
- 1887. Attempt to put electric lighting on the Gas Commission, II. 342.
- 1889. Formation of the Water of Leith Commission, II. 341.
- 1892. Attempt to form a Tramway Commission, II. 346.
- 1892. The tramway "muddle," II. 349.
- 1892. Burgh Police (Scotland) Act (55 & 56 Vict. c. 55) passed, II. 350.

Leith: Historical Summary—*contd.*

- 1892. Amalgamation (of Edinburgh and Leith) Scheme takes form, II. 350.
- 1896. Amalgamation part of Edinburgh Bill thrown out, II. 352.
- 1896. East Pilton Hospital thrown into Edinburgh, II. 352.
- 1896. Visit of Czar Nicholas II. to Leith, II. 353.
- Leith Bank, II. 178.
- Banking Company, II. 178.
- boundaries in thirteenth century, I. 16; in 1827, II. 246; in 1832, II. 248.
- Chamber of Commerce, II. 321.
- charters, grants, etc. See separate heading.
- Churches. See separate headings.
- Commerce. See Trade.
- *Commercial List*, II. 312.
- Common Good, II. 297.
- Corn Exchange, II. 363.
- Cromwellians and the tradesmen of, II. 114.
- Custom House. See separate heading.
- Dean of Guild Court, II. 368.
- description of, in 1779, II. 176.
- Destitute Sick Society, II. 185.
- Dispensary, II. 314.
- Districts—Royalty of Edinburgh, King's Work, North Leith, Coalhill, South Leith, Citadel, St. Anthony, Yardheads, Residue, II. 237-38.
- docks, harbour, and maritime affairs. See Port of Leith, and Shipping.
- English property in, II. 127.
- family of, I. 15, 230.
- Fort, II. 176, 337.
- fortifications of, I. 296. See also Historical Summary.
- Games, II. 322.
- Gas Companies, II. 231.
- government of, Maitland on the, II. 166.
- Grammar School, I. 142, II. 311; in 1896, II. 373.
- Hospital, II. 323.
- Humane Society, II. 185.
- Industrial School, II. 364.
- Library, II. 311.
- Links. See separate heading.
- manufactures of. See separate heading.
- Markets, II. 315.
- Merchant Company, II. 206, 214.

- Leith Mills bought by Edinburgh, II. 151.
 — Municipal Buildings, II. 246, 318, 368.
 — ordinances, etc., of Edinburgh, regarding. See separate heading.
 — parliamentary representation of, II. 248.
 — Petty Customs. See separate heading.
 — *Pilot*, II. 312.
 — plan of, by Alexander Wood, 1777, II. 169.
 — Poorhouse, II. 323.
 — population of. See separate heading.
 — Post Office, II. 368.
 — Provident Co-operative Society, II. 368.
 — Public Institute, II. 365.
 — Races, historical account of, II. 412.
 — Roads, execution in, II. 61.
 — Sailors' Home, II. 339.
 — sawmills, II. 318.
 — Seamen's Friend Society, II. 315.
 — Sheriff Court. See Municipal Buildings.
 — slaughter-house, II. 364.
 — superiority of. See separate heading.
 — taxation of. See separate heading.
 — *Telegraph and General Advertiser*, II. 312.
 — Tolbooth. See separate heading.
 — Town Hall. See Municipal Buildings.
 — Town Council, II. 250.
 — trade of. See separate heading.
 — tradesmen and the Cromwellians, II. 114.
 — Trinity House. See separate heading.
 — Walk, historical account of, II. 433.
 — Wynd, I. 342.
 Lennox, Earl of, I. 163, 192.
 Lennox, Regent, I. 336, 348, 350.
 Lennox, Robert, Earl of, I. 440, 446.
 Lennox's Council Chamber, I. 336.
 Leper house, I. 501.
 — at Greenside, I. 375, II. 36.
 Lesley, General, Earl of Leven, II. 102.
 Lesley, General David, II. 104, 107, 109, 110.
 Letters of marque. See Privateering.
 Lindsay Act, II. 327.
 Lindsay, Provost, biographical notice of, II. 531.
 Lindsay, Rev. David, I. 382, 401, 451, II. 54.
 — biographical notice of, II. 555.
 Links of Leith, I. 68, 389, 392, 427, 459, 479, 490, 513, II. 19.
 — drying poles on, II. 326.
 — duels on the, II. 183.
 — mutiny of Highlanders on the, II. 171.
 — plague graves on the, II. 37.
 — purchase of, by Leith, II. 297, 298, 326.
 — regulation of the, II. 327.
 — Scottish army purged on the, II. 108.
 Little London, II. 19.
 Lochend, supposed lake village at, II. 367.
 — House, II. 452.
 — Industrial School, II. 367.
 — Road Public School, II. 371
 Logans of Restalrig, I. 230.
 Logan, Sir Robert, grants Shore to Edinburgh, 1398, I. 21, App. 2.
 — grants land to Edinburgh, 1413, I. 28, App. 4.
 — erects monastery of St. Anthony, 1430, I. 31.
 Logan, Sir James, indenture between Edinburgh and, 1454, I. 50, App. 21.
 Logan, Sir John, lets tenement to St. Anthony's, 1496, I. 34, App. 12.
 Logan, Sir Robert, and lands of Gogar, 1513, I. 125.
 — and superiority of Leith, 1555, I. 231, II. 77.
 — joins Queen's Party, 1559, I. 271.
 — imprisoned in Edinburgh, 1560, I. 254.
 — and the Gowrie Conspiracy, 1600, II. 52.
 Logan, John, of Coitfield, II. 43.
 Logan, John, of Sheriff-brae, I. 392.
 Logan, Rev. John, biographical notice of, II. 560.
 Logan's house in Sheriff-brae, II. 321.
 Lorne Street Church, II. 371.
 Louise, Princess, marriage of, II. 367.
 Lousie Law, battle of, I. 341.
 Lowestoft, battle of, II. 127.
 MACDONALD, ANDREW, II. 190.
 Macdonald, Rev. Dr., biographical notice of, II. 592.
 Macfie, R. A., M.P., biographical notice of, II. 487.

- Macgregor, D. R., M.P., biographical notice of, II. 491.
 Macintosh of Borlam, II. 148.
 M'Laren, Provost, biographical notice of, II. 525.
 Magistrates. See Bailies.
 Maitland of Lethington, I. 274, 310, 383, 385.
 Maltmen, dispute with King James's Hospital, II. 138.
 Manufactures of Leith—
 Battle axes, I. 18.
 Glass, II. 121, 143.
 Iron, I. 55.
 Linen, II. 143.
 Soap, II. 141.
 Tobacco, II. 142.
 Warlike stores, I. 99.
 Mar, Regent, I. 349, 350, 359, 374.
 Margaret, Princess, of Denmark, I. 53.
 Margaret, Princess, of England, I. 110.
 Mariners' Church and School, II. 321.
 Marionville, II. 454.
 Martello Tower, II. 176, 337.
 Mary of Gueldres, I. 48.
 Mary of Lorraine, I. 186, 223, 225, 231, 262, 277, 287.
 — house of, I. 301.
 Mary, Queen of Scots I. 185, 223, 224, 262, 320, 448, 450, 451.
 — lands at Leith, I. 324.
 — marriage with Darnley, I. 328.
 — execution of, I. 453.
 Maxwell's handfasting, I. 366.
 May Island, I. 114.
 Meal Mob, the, II. 157.
 Measures, town, I. 211, 212, 389, 417, 430, 475, 482.
 Melville, Andrew, I. 470.
 Metals, contract as to precious, I. 485.
 Meters, I. 211, 212, 487.
 — and weighers, historical account of, II. 423.
 "Metis and Measures," I. 211, 212, 389, 417, 475, 482.
 Miller, William, M.P., biographical notice of, II. 484.
 Mitchell, Councillor, Report on Affairs of Leith, II. 255.
 Moncreiff, Lord, biographical notice of, II. 480.
 Money, coining of, I. 375.
 — export of, statute against, I. 165.
 — seizure of, I. 480.
 Monk, General, II. 93, 112, 126.
 Mons Meg, landing of, II. 319.
 Montrose, Marquis of, II. 102, 107.
 Moray, Earl of, I. 326, 331, 336, 517.
 Morton, Earl of (Regent), I. 341, 344, 350, 361, 370, 373, 380, 382, 383, 430, 433, 440, 442, II. 1, 4.
 Morton's patent slip, II. 315.
 Moultray's Hill, I. 374.
 Mount Pelham, I. 278.
 — Somerset, I. 279.
 Muir, Rev. Francis, biographical notice of, II. 575.
 Municipal Reform Act (1833), II. 250.
 Murder of a seaman in 1814, II. 313.
 Murray, Lord George, escape of, II. 164.
 Murray, Sir John A., M.P., biographical notice of, II. 473.
 Mussel Scalp, the, I. 510.
 NAIRNE, LADY, II. 312, 465.
 Navigation, School of, II. 362.
 Navy, Scottish, and James IV., I. 112, 115, 118, II. 456.
 Newhaven, historical account, II. 456.
 — dock at, II. 198, 200.
 — Edinburgh, grant to, of, I. 138, 586, II. 457.
 — English under Hertford land at, I. 193.
 — fishermen drowned off Dunbar, II. 370.
 — fishing fleet, II. 469.
 — fishwives, II. 470.
 — founding of, I. 112, 249, II. 456.
 — Free Fishermen's Society, II. 466.
 — *Great Michael*, building of the, at, I. 115.
 — harbour, I. 258, II. 458, 467.
 — Holyrood, lands belonging to, at, I. 115.
 — links, I. 114, II. 459.
 — parish of, II. 460.
 — St. James's Chapel at, I. 113, II. 457.
 — salt-making at, I. 512, II. 458.
 — streets, obstruction of, I. 420, 421.
 Newspapers first printed in Scotland, II. 122.
 Nicholas II., visit of Czar, to Leith, II. 353.
 North Leith Church Halls, II. 371.
 — district of, II. 237.
 — Free Church, II. 363.
 — Holyrood House, regality of, I. 179.
 — Kirk Session Records, II. 61-65.
 — Poorhouse, II. 365.
 — Parish Church, II. 314. See also St. Ninian's.
 — parish formed, I. 91.

- North Leith, patronage of, purchased by inhabitants, I. 88, App. 26.
 — petty customs of, I. 179.
 — superiority of, purchased by Edinburgh, II. 91 (App. 6), 93.
 — taxes in fourteenth century, I. 24.
 North Leith. See also Citadel; St. Nicholas, Church of.
 North Sea disasters, II. 370-378.
- OMNIBUS, Steam, II. 367.
- Ordinances, etc., of Edinburgh affecting Leith—
 1436. Buying and distribution of victuals, I. 45.
 1439. Selling of victuals, I. 46.
 1454. Against making of merchandise, I. 50.
 1462. Price of victuals and timber, I. 51.
 1479. Distribution of victuals, I. 63.
 1485. Against dealing between Edinburgh and Leith, I. 66.
 1490. Water Court, I. 74.
 1490. Compulsory purchase of victuals and timber, I. 75.
 1494. Chartering of ships, I. 202.
 1497. Removal of a corbel, I. 103.
 1497. The "Grandgore," I. 105.
 1498. Citizens to hold themselves prepared for "tulyeis," I. 103.
 1499. Precautions as to "Grandgore," I. 107.
 1500. Against goods being sent to Leith on account of the plague, II. 16.
 1501. Guard to accompany water-bailie to Leith, I. 130.
 1504. Violation of ordinances, I. 133.
 1504. Repair of the harbour, I. 133.
 1506. Against "packing and peilling" of goods, I. 134, App. 27.
 1506. Edinburgh brewers prohibited dealing in malt with Leith men, I. 134.
 1514. Infringement of privileges of Edinburgh freemen, I. 149.
 1514. Escheat of goods, I. 150.
 1514. Against tapping and selling wine and other merchandise to the hurt of Edinburgh privileges, I. 151.
 1516. Infringement of ordinances, I. 152.
 1518. Right of city to make merchandise of timber and other goods coming into Leith, I. 153, Apps. 29 and 30.
- Ordinances, etc.—*continued*.
 1519. Against buying merchandise until entered in town's books: dealing in fish: making market of goods in Edinburgh, I. 155.
 1519. Against selling imported goods until entered and price made, I. 156.
 1520. Against dealing in wax, I. 156.
 1520. Against selling wine, I. 157.
 1520. Against selling wine, I. 157.
 1523. Lawsuit against Leith in regard to trading in imported goods, I. 158, App. 31.
 1523. Strangers may buy merchandise at same price as freemen, I. 160.
 1524. Water-bailie to hold court I. 160.
 1524. Inhabitants to "forgather" to make the "King's Grace Service," I. 163.
 1525. Shippers to find caution that they "receive no man within their ships to sail in merchandise" without permission, I. 161.
 1525. Against buying or selling wine, I. 164.
 1526. Against the maltmen for "oppressionne," I. 166.
 1529. Against trafficking in ale, I. 167.
 1529. Weight of Leith bread to be standard, I. 168.
 1530. Plague-suspected persons forbidden to go to Edinburgh, II. 16.
 1531. Against trafficking in ale, I. 169.
 1536. Regulation of the price of goods, I. 171.
 1541. Infringement of ordinances, I. 180.
 1541. Fixing of freights, I. 182.
 1543. Against buying wine, I. 183.
 1544. Fixing of the price of wine, I. 184.
 1546. Imported goods to be sold to freemen only, I. 199.
 1546. Bulk not to be broken in Leith, I. 200.
 1546. Infringement of above ordinance, I. 200.
 1547. Imported iron to be weighed in Edinburgh, I. 201.
 1547. Infringement of ordinance regarding freights, I. 202.
 1547. Fixing price of goods and disposal of the profits, I. 203.

Ordinances, etc.—*continued*.

- 1548. Imported goods to be sold in Edinburgh, I. 204.
- 1548. Infringements of above ordinance, I. 204.
- 1548. Confirmation of ordinance regarding price of wine, I. 206.
- 1549. Infringement of above, I. 207.
- 1549. Fixing price of goods, I. 207.
- 1549. Infringement of above ordinance, I. 208.
- 1551. Restrictions on freighting, I. 208.
- 1551. Imported goods not to be sold until prices fixed, I. 210.
- 1551. Measuring of grain, I. 211.
- 1551. Choosing of meters, I. 211.
- 1552. Water meters, I. 211.
- 1552. Swearing of workmen, I. 212.
- 1552. Infringement of ordinance against buying goods in Leith, I. 212.
- 1552. Imported goods to be weighed in Edinburgh, I. 213.
- 1552. Infringement of ordinance regarding entry of imported goods, I. 214.
- 1552. Refractory workmen, I. 216.
- 1552. Infringement of ordinance against buying goods in Leith, I. 216.
- 1553. Re-enactment of ordinance against buying goods in Leith, I. 217.
- 1553. Against unfreemen of Leith being factors to freemen of Edinburgh, I. 217.
- 1554. Malt only to be bought from maltmen of Edinburgh, I. 242.
- 1554. Importation of timber, and Edinburgh wrights and coopers, I. 243.
- 1554. Infringement of ordinance against selling in Leith, I. 243.
- 1554. Exemption from Customs, I. 244.
- 1555. Provision for carrying on lawsuits against breakers of ordinances, I. 245.
- 1555. Against partnership between burgesses and Leith unfreemen, I. 245.
- 1555. Lawsuit between Edinburgh and Walter Cant, interference of Queen, I. 247.
- 1555. Repair of Newhaven harbour, I. 258.
- 1557. Building of the Newhaven, I. 249.

Ordinances, etc.—*continued*.

- 1558. Against buying from unfreemen, I. 249.
- 1559. Licence to sell goods in Leith, I. 250.
- 1559. Selling of imported goods to be watched, I. 252.
- 1573. Licence to freemen to live in Leith, I. 388.
- 1573. Repairing of the "mettes and measours," I. 389.
- 1574. Against selling of aqua vitæ, I. 390.
- 1574. Discharge of agreements made with Leith craftsmen, I. 390.
- 1574. Withdrawal of indulgences to indwellers, I. 391.
- 1574. Agreement as to price of timber, I. 391.
- 1574. Pasturing upon Leith Links, I. 392.
- 1574. Against John Logan of Sheriffbræ for taxing imported timber, I. 392.
- 1574. Repair of the Shore, I. 395.
- 1574. Communication between Edinburgh and Leith forbidden on account of plague, II. 18.
- 1574. Meal for plague-stricken persons on Leith Links, II. 19.
- 1575. Little London as a plague hospital, II. 19.
- 1575. Regulations for freighting of ships, I. 395.
- 1575. Ships loading at ports in FORTH to enter their goods at Leith, I. 396.
- 1575. Election of bailies, I. 398.
- 1576. Repair of the Shore, I. 399.
- 1576. Walter Cant ordered to give up seal of Leith, I. 399.
- 1576. King's share of imported wines, I. 400.
- 1576. Misapplication of the prime gilt, I. 401.
- 1578. Disbandment of soldiers, I. 402.
- 1578. Infringement of ordinance regarding King's share of wine, I. 402.
- 1578. Regulation of price of wine, I. 404.
- 1578. Edinburgh claims to furnish King's share of wine, I. 404.
- 1578. Against unloading of wine until King's share be taken, I. 405.
- 1578. Against exporting "Hesh," I. 406.

Ordinances, etc.—*continued*.

- 1578. Complaint against Edinburgh for selling cargo of beans, I. 407.
- 1578. "Burse" purchased by Edinburgh, I. 407.
- 1578. Taxation of Leith, I. 408.
- 1579. "Disobedience" in Leith, I. 437.
- 1579. Provost to hold court in Leith, I. 408.
- 1579. Complaint against Edinburgh regarding cargo of wrecked ship, I. 409.
- 1579. Charters relating to Leith to be sealed with the seal of Leith, I. 410.
- 1579. Regulations as to freighting of ships, I. 411.
- 1579. Complaint against Edinburgh regarding "portage," I. 413.
- 1579. Rent of St. Paul's Work, I. 415.
- 1580. Complaint as to harbour dues, I. 416.
- 1580. Measures of the maltmen, I. 417.
- 1580. Reduction of rent, I. 417.
- 1580. Obstructions in Newhaven streets, I. 419.
- 1580. Application in reference to above ordinance, I. 421.
- 1580. Against "orchard litt," I. 421.
- 1580. Licence to sell beans, I. 421.
- 1580. Against traffic in fish, I. 422.
- 1580. Regulation as to traffic and price of victuals, I. 422.
- 1580. Licence to transport salt, I. 423.
- 1580. Licence to transport "blew brissell," I. 423.
- 1580. Against sale of oatmeal and other victual, I. 425.
- 1580. Against weighing of goods, I. 426.
- 1580. Burgesses forbidden to reside in Leith, I. 426.
- 1580. Boundaries of Leith Links to be defined, I. 427.
- 1580. Expensio of sending plague-stricken people to Inchcolm, II. 26.
- 1580. Against making candles, I. 427.
- 1581. Plague "clengeit" persons on Inchcolm, II. 28.
- 1581. Against selling meal, I. 429.
- 1581. "Burse" to be put in order, I. 429.
- 1581. Taxation of Leith, I. 429.

Ordinances, etc.—*continued*.

- 1581. Against unjust measures, I. 430.
- 1581. Against hoarding of victual, I. 430.
- 1581. Against weighing of goods, I. 431.
- 1581. Causewaying of streets, I. 431.
- 1581. Causeway stones to be taken to Edinburgh, I. 431.
- 1581. Against Archibald Norwell in reference to Clerkship of Leith, I. 432.
- 1581. Against obstructions in Broad Wynd, I. 474.
- 1581. Against buying, etc., plaiding, I. 474.
- 1581. Causewaying of streets, I. 475.
- 1581. Against speaking evil of the King, I. 475.
- 1581. Against unjust measures, I. 475.
- 1581. Against packing, I. 476.
- 1581. Inventory of writs against Leith, I. 477.
- 1581. Repair of streets, I. 478.
- 1581. "Rowpe and sett" of West Links, I. 479.
- 1581. Against maltmen for not measuring with the town's measures, I. 479.
- 1582. Repair of north bulwark, I. 480.
- 1582. Timber to be stored in Bourse, I. 481.
- 1582. Against maltmen, etc., for breaking the statutes, I. 482.
- 1582. Renewal of land and water meters, I. 482.
- 1583. Table of Customs dues to be made, I. 484.
- 1583. Repair of the Shore, I. 484.
- 1583. Defalcations in the "Rollis," I. 484.
- 1583. Against exportation of skins I. 485.
- 1583. Taxation, I. 485.
- 1583. Edinburgh discharged from taking customs on imported horses, I. 486.
- 1583. Election of bailies, I. 486.
- 1583. Renewal of Table of Customs, I. 487.
- 1583. Regulations for the "stangmen, polkmen, and metters," I. 487.
- 1583. Buying of a drum, I. 490.
- 1583. Table of Customs to be exhibited, I. 490.

Ordinances, etc.—*continued*.

- 1584. Ships producing charter parties and paying dues in Edinburgh to be clear of all other ports, I. 490.
- 1584. Ships, outward or inward, to be "received" by the Dean of Guild, I. 492.
- 1584. Rouping of ships, I. 492.
- 1584. Fish to be "gaged" and inspected, I. 495.
- 1584. "Packing and peilling" of fish, I. 496.
- 1584. Repair of bridges, I. 497.
- 1584. Damage sustained during Civil War, I. 497.
- 1584. Election of bailies, I. 498.
- 1584. Penalties exacted for "bluids" committed in Leith to belong to Edinburgh, I. 498.
- 1584. Seal of Leith to be kept in Edinburgh, I. 499.
- 1584. Inhabitants of Leith who are called to the Court of Trinity College to be "replegit therefra," I. 499.
- 1584. Housebold goods forbidden to be imported from Flanders on account of plague, II. 28.
- 1584. No boats to land between Queensferry and Leith, but only at Leith, on account of plague, II. 29.
- 1584. Order to be kept on the Shore, on account of plague, II. 30.
- 1584. Intercourse with St. Johnstone prohibited on account of plague, II. 30.
- 1584. Ferry regulations, in reference to plague, II. 31.
- 1584. Ferry prohibited except to Pettycur, on account of plague, II. 32.
- 1585. Rioters to be carried to Edinburgh, I. 499.
- 1585. Search for writs against unfreemen, I. 499.
- 1585. Against maltmen for measuring with their own measures, I. 500.
- 1585. Licence to weigh lead ore, I. 500.
- 1585. Delivery of a "greitt irne yetling pesterling" to the town, I. 501.
- 1585. Claims by Leith of certain rights, I. 501.
- 1585. Stoppage of teind fish, I. 501.
- 1585. Boats with victuals and the water-bailie, I. 502.

Ordinances, etc.—*continued*.

- 1585. Provostship of Trinity College, I. 502.
- 1585. Case of poinding, I. 502.
- 1585. Against unfreemen buying or selling goods, I. 503.
- 1585. Crane on the Shore, I. 503.
- 1585. Against trafficking in victuals, I. 503.
- 1585. Goods of Ayr merchants in Leith to be packed in Edinburgh, I. 504.
- 1585. All trade forbidden, I. 504.
- 1585. A vessel to be provided to proceed against English pirates, I. 505.
- 1585. "Schawin of the evidents" of lands in Leith: port at the Brig-end to be taken down, I. 505.
- 1585. "Packing and peilling" of herring, I. 507.
- 1585. No servant to pass within Leith without their masters, on account of plague, II. 32.
- 1586. Delivery of the seal of Leith, II. 32.
- 1587. Repair of the Shore, I. 510.
- 1587. Caution that a cargo of victual be brought to Leith, I. 511.
- 1587. False "Hardheids," I. 511.
- 1587. Regulations in reference to plague, II. 34.
- 1587. Regulations in reference to plague, II. 34.
- 1587. Taxation, its disposal, II. 35.
- 1587. Appointment of watchmen, on account of plague, II. 35.
- 1589. Caution as to cargo, I. 513.
- 1589. Tack of the West Links, II. 513.
- 1589. Grant for repair of the Shore, I. 513.
- 1591. Discharge of licence for exporting victual, I. 514.
- 1591. Complaint against Edinburgh for intronitting with wheat, I. 514.
- 1592-93. Prohibition of golf, II. 401.
- Ordinance, charges for and repairing of, I. 43, 44, 332.
- Orkney, Earl of, I. 516.
- Oyster fishing, II. 462.
- PALLISTER, CAPTAIN, and the Admiralty Court, II. 385.
- Parliament Square, I. 337. See also Peat Neuk.
- Parliamentary Reform Act, 1832, II. 247.

- Paul Jones in the Firth of Forth, II. 171.
- Paunch Market, I. 303.
- Peat Nenk, I. 337, II. 362.
- Persecution of Protestants at Reformation, I. 264.
- in latter half of seventeenth century, II. 130.
- Pestilence in Leith in sixteenth and seventeenth centuries, II. 14-37.
- Petty Customs, I. 50 (App. 20), 51, 64, 164, 165, 178, 179, 180, 181, 182, 201, 248, 417, 489, II. 265.
- abolition of, II. 302, 324.
- Philp, Provost, biographical notice of, II. 527.
- Picts and Scots, I. 1, 9, 11.
- Pilrig, lands of, II. 71.
- House, II. 73.
- Pilton, East, Hospital, II. 352, 372.
- Pinkie, battle of, I. 218.
- Piracy in 1489, I. 72.
- licence to suppress English, 1585, I. 505.
- in sixteenth and seventeenth centuries, II. 38-51.
- case of Captain Greenc, II. 144.
- last execution for, at Leith, II. 346.
- Police Act, first, 1771, II. 168.
- second, 1806, II. 222.
- third, 1827, II. 245.
- Police system and jurisdiction in Leith in 1835, II. 265.
- Leith, combined with municipal establishment, 1848, II. 325.
- and municipal boundaries of Leith assimilated, 1862, II. 328.
- territory, Edinburgh, annexed to Leith, 1856, II. 325.
- Commission and Town Council of Leith amalgamated, 1877, II. 334.
- Polkmen, I. 487.
- Population of Leith in 1712, II. 151; in 1754, II. 167; in 1775, II. 169; in 1838, II. 306; in 1861, 327; in 1891, II. 350.
- Port of Leith: Historical Summary—
1313. Burned by the English, I. 18, 143.
1329. Granted to Edinburgh by Robert Bruce, I. 20, App. 1.
1398. Shore sold to Edinburgh, I. 21, App. 1.
1428. Dues first instituted, I. 29 (App. 5), 41.
1510. Harbour found inadequate, I. 115.
1544. Destroyed by Hertford, I. 196.
- Port of Leith: Hist. Summary—*contd.*
1548. Again destroyed by Hertford, I. 222.
1566. Timber for repairing ordnance landed, I. 332.
1710. Petition to extend the harbour, II. 146.
1717. First extension of harbour begun, II. 147.
- 1720-30. Stone pier built, II. 147.
1753. Act for deepening and enlarging the harbour, II. 167.
1784. Proposal to extend the harbour, II. 177.
1788. First Act for improving the harbour: the Coalhill Dock, II. 177.
1798. Act to complete the Coalhill Dock, II. 198.
1799. John Rennie's plans for docks, II. 198.
1799. Act (39 Geo. III. c. 44) for construction of docks, II. 199.
- 1800-17. Wet docks built, II. 199.
1800. Act (39 & 40 Geo. III. c. 57) authorising loan, II. 199.
1805. Act (45 Geo. III. c. 32) authorising loan, II. 199.
1805. Act (45 Geo. III. c. 114) authorising loan, II. 199.
1807. Act (47 Geo. III. sec. 2, c. 2) for new streets, II. 199.
1813. Act (53 Geo. III. c. 33) authorising loan, II. 199.
1813. Statement of expenditure on the docks, II. 200.
1818. Eastern breakwater built, II. 200.
1818. Estimate for deep-water entrance at Newhaven, II. 200.
1818. Neglect of the harbour, II. 202.
1818. Oppressive charges, II. 202.
1824. Quarrel between Shipowners' Society and Edinburgh, II. 205.
1824. Joint-stock company projected for purchase of the docks, II. 205.
1825. Meeting of merchants, etc., to consider joint-stock scheme, II. 207.
1825. Town Clerk's reply to above meeting, II. 209.
1825. Joint-stock Bill in Parliament, II. 209.
1825. Corporation apply to Government for loan, II. 211.
1825. Conditions of the loan, II. 211.

Port of Leith : Hist. Summary—*contd.*

- 1825. Act (6 Geo. iv. c. 103) authorising loan of £240,000, II. 212.
- 1825. Report of Inhabitants' Committee on Bill for management of the Port, II. 212.
- 1826. Act (7 Geo. iv. c. 105) appointing Dock Commissioners, II. 214.
- 1826. Dissatisfaction with the two Acts, II. 216.
- 1826. Refusal of magistrates to prepare Table of Dues, II. 217.
- 1827. Building of east pier and western breakwater, II. 201, 218.
- 1830. Introduction of steamboats and inadequacy of the harbour, II. 219.
- 1830. Rival dock schemes, II. 219.
- 1833. Committee of inquiry into the affairs of the Port, II. 254.
- 1833. Port revenues and the sequestration of the city, II. 255.
- 1834. Plans for improvement, II. 220.
- 1835. Councillor Mitchell's Report on the affairs and revenue of the Port, II. 255.
- 1835. Treasurer Black's "View" of the city's affairs, including the Port revenues, II. 258, 260.
- 1835. Select Committee on Leith Harbour issue a Report unfavourable to the contentions of the city and its creditors, II. 263.
- 1835. Burgh Commissioners issue a Report on the Port revenues, also unfavourable, II. 266.
- 1835. Reply to above by City Treasurer's Committee, II. 267.
- 1835. Accountant for the creditors also replies, II. 268.
- 1835. Aggregate Committee of Leith reply to treasurer and accountant, II. 269.
- 1835. Dock Commission submit a case to Lord Melville, and issue a statement on the affairs of the Port, II. 274.
- 1835. Accountant for the creditors replies, II. 274.
- 1836. Mr. Labouchere's Report, dealing with Port revenue in connection with sequestration of the city, II. 275.
- 1836. Creditors reject Mr. Labouchere's proposals, II. 286.
- 1836. Dock Commissioners accept Mr. Labouchere's proposals, II. 287.

Port of Leith : Hist. Summary—*contd.*

- 1836. City Treasurer's Committee also accept proposals, II. 288.
- 1836. Aggregate Committee issue "Observations" on the Creditors' Report, II. 288.
- 1836. Various pamphlets on the state of affairs, II. 290.
- 1836. Warning by the Government to the creditors, II. 291.
- 1836. Select Committee to consider city's affairs, II. 292.
- 1836. Creditors definitely reject Mr. Labouchere's terms, II. 292.
- 1837. Corporation make acceptable offer of composition, II. 292.
- 1838. Select Committee appointed to adjust matters, II. 292.
- 1838. City Agreement Act (1 & 2 Vict. c. 55) passed, II. 292, 293.
- 1838. Government debt and revenues adjusted, II. 293.
- 1838. Appointment of Dock Commissioners readjusted, II. 293.
- 1838-46. Renewed plans for improvement of harbour, II. 299.
- 1846. Tidal Harbour Commissioners report on the harbour, II. 300.
- 1847. Harbour Act (10 & 11 Vict. c. 114) authorising new docks and dealing with the revenues, II. 302.
- 1847. Act (10 & 11 Vict. c. 25) adjusting harbour rates, and requiring Dock Commissioners to pay to Leith £500 per annum in lieu of petty customs, II. 302.
- 1847-55. Victoria Dock built, II. 303.
- 1860. Abolition of Government debt (23 & 24 Vict. c. 48), II. 304.
- 1863-69. Albert Dock built, II. 304.
- 1863-69. Victoria Swing Bridge erected, II. 305.
- 1875. Constitution of Dock Commissioners altered (38 & 39 Vict. c. 160), II. 356.
- 1875-81. Edinburgh Dock built, II. 356.
- 1881. Dock opened by Duke of Edinburgh, II. 357.
- 1884. Carriage-drive round dock finished, II. 358.
- 1884. Dispute as to rating of the docks, II. 358.
- 1891. New graving dock built, II. 359.
- 1896. Contract for deepening harbour, II. 359.
- 1896. New dock begun, II. 359.

- Port of Leith : Hist. Summary—*contd.*
 1897. Battery on the new docks, II. 361.
- Port of Leith—
 Customs, I. 47 (App. 19), 50 (App. 20), 55 (App. 22), 64 (App. 23), 65, 96, 131, 132, 134, 201, 244, 397, 412, 483, 484, 486, 490, 500.
 Customs in 1311-12, I. 18 ; in 1335-36, I. 21 ; in 1380-89, I. 25, 26 ; in 1390-1436, I. 28, App. 3 ; in 1654, II. 381 ; in 1656, 1844, II. 382 ; in 1849, 1864, II. 395 ; in 1893, 1894, 1895, 1896, II. 397.
 Dock Commissioners, II. 214, 294, 356.
 Dues first instituted, I. 29 (App. 5), 41.
 Dues, grants authorising I. 47 (App. 19), 50 (App. 20), 55 (App. 22), 64 (App. 23), 65.
 Dues, description of, in early part of nineteenth century, II. 202.
 Dues in 1692, 1716, II. 383 ; in 1763, II. 385 ; in 1783, II. 386 ; in 1849, 1864, II. 395 ; in 1896, II. 397.
 Excise, I. 201, II. 382.
 Exports, ordinances regarding, I. 156, 165, 203, 394, 396, 406, 514.
 Exports in 1814, II. 388 ; in 1896, II. 397.
 Harbour, repair of the, I. 29 (App. 5), 47 (App. 19), 55 (App. 22), 133, 136, 482.
 Imports, ordinances regarding, I. 45, 46, 47, 51, 63, 75, 96, 130, 149, 151, 152 (Apps. 29 and 30), 155, 157, 158, 165, 170, 199, 200, 201, 202, 204, 207, 210, 213, 214, 216, 243, 250, 252, 396, 399, 405, 414, 422.
 Imports in 1595, I. 515 ; in 1778, II. 386 ; in 1864, 1881, II. 395 ; in 1896, II. 395, 397.
 Prime gilt, I. 303, 401, II. 203.
 Tonnage in 1656, 1692, 1709, II. 383 ; in 1740, II. 384 ; in 1769, II. 385 ; in 1778, 1783, 1792, II. 386 ; in 1834, II. 394 ; in 1849, 1864, II. 395.
- Porters, Leith, I. 100, 124, 212, 216.
 — Leith, historical account of, II. 418.
 Poynding, instance of, I. 502, 316.
 Prestonpans, battle of, II. 159.
 Prime gilt, I. 303, 401, II. 203.
 Prince of Wales's marriage, II. 365.
- Pringle, Provost, biographical notice of, II. 542.
 Privateering, II. 39-42.
 Pynours, Leith. See Porters.
- QUACKERY in eighteenth century, II. 183.
 Quakers, the, II. 135.
 Quality Street, I. 309.
 — Wynd, I. 301.
 Quarry Holes, I. 272, II. 452.
 Queen Regent. See Mary of Lorraine.
 "Queen's" Party, I. 340-387.
 Queen Street, I. 302, 308.
- RACES, LEITH, historical account of, II. 412.
 Railway, Leith and Portobello, II. 363.
 — Edinburgh and Leith, II. 445.
 — Edinburgh, Leith, and Newhaven, II. 467.
 Reform Act, Municipal, 1833, II. 250.
 — Parliamentary, 1832, II. 247.
 Reformation, the, I. 310, II. 1.
 — in Leith, I. 311, 313, 317, 321.
 — persecution of Protestants at the, I. 264.
- Roech, Provost, biographical notice of, II. 518.
- Restalrig, historical account of, II. 446.
 — Barony of, sasine of, I. 126.
 — Church, I. 299, II. 447.
 — Church, patronage of, I. 126.
 — Church, salary of chaplain, I. 128.
 — English lodged in, I. 278, 300.
 — House, II. 452.
 — James IV. and, I. 101, 102.
 — John of, rent of, 1336, I. 22.
 — lands of, I. 15, 230, II. 55, 452, 453.
 — pestilence in, II. 36.
 — St. Margaret's Well at, I. 300, II. 446.
 — St. Triduana, II. 447.
 — St. Triduana, chapel of, at, I. 299.
 — skirmish between Cromwellians and Covenanters at, II. 109.
 — village of, I. 300, II. 446, 455.
- Resurrectionists, II. 320.
- Rinderpest in Leith, II. 365.
- Rizzio, David, I. 334.
- Robert the Bruce grants Port of Leith to Edinburgh, I. 20, App. 1.
- Robert II., expenses at Leith, I. 26.
 — tombstone of, I. 24.
- Robertson, Dr. D. H., II. 366.
- Roman Catholics, agitation against, in 1779, II. 177.

- Romans and their remains at Leith, I. 1-8.
 Rosebank Cemetery, II. 365.
 Russell, Michael, II. 193.
 Rotten Row, I. 301.
 Rutherford, Lord, biographical notice of, II. 476.
 Ruthven, raid of, I. 444, II. 4, 5.
- SABBATH, breaking of the, II. 61-65, 133, 400.
 St. Andrew Street, I. 515.
 St. Andrew's Place United Presbyterian Church, II. 316.
 St. Andrews and the Reformation, I. 311, 316.
 St. Anthony, district of, II. 238.
 — Monastery of, historical account of, I. 31.
 St. Anthony's, patronage of, I. 169.
 — steeple destroyed during siege of Leith, I. 79, 278, 279.
 — Wynd, I. 31.
 St. Crispin, cordiners of, gift by Robert Logan, II. App. 13.
 St. Giles's Church, sealing ladders made in, I. 279.
 — and Kirkealdy of Grange, I. 339.
 St. James's Episcopal Chapel, II. 163, 311, 364.
 St. John's Church, II. 184, 322.
 — Free Church, II. 367.
 St. Margaret's Well, I. 300, II. 446.
 St. Mary's Church: Historical Summary—
 1335. Protection granted to parson, I. 22.
 1483. Church erected, I. 77.
 1490. Grant of rents, I. 77.
 1490. Charter of Chaplaincy, I. 77, App. 24.
 1544. Prisoners confined in church after battle of Pinkie, I. 219.
 1544. Its injury during the burning of Leith, I. 78, 220.
 1560. Injury during the siege of Leith, I. 78, 220, 278.
 1588-96. Kirk Session Records, II. 8.
 1605. Patronage bestowed on Lord Balmerino, II. 55.
 1609. Constituted the parish church, I. 80.
 1638. Wine tax payable to Kirk Session commuted into money payment, I. 38.
 1648. Conference between the General Assembly and the Royalists, II. 105.
- St. Mary's Church—*continued*.
 1655. Closed by the Cromwellians, I. 81, II. 449.
 1665-1700. Church matters, II. 129.
 1674. Steeple erected, I. 80.
 1681. Clock put up, I. 80.
 1688. Split in the congregation, II. 133.
 1747. Dormer windows taken down, I. 80.
 1755. Right of presentation assumed by the Crown, II. 163.
 1848. Restored, I. 82.
 St. Mary's Church, account of, I. 77.
 — communion plate of, II. 426.
 — collecting plates of, II. 429.
 St. Nicholas' Church, account of, I. 93, II. 117.
 — burying-ground, II. 118.
 — and endowments granted to North Leith, I. 91, App. 26.
 St. Ninian's Church, account of, I. 86.
 — communion plate of, II. 429.
 — James IV., pilgrimage to, I. 114.
 — patronage purchased by inhabitants, I. 88 (App. 26), II. 93.
 St. Paul's Work, I. 248, 415.
 St. Thomas's Church, I. 90, II. 322.
 St. Triduana, I. 299.
 St. Triduana's Chapel, II. 447.
 Salt-pans at Newhaven, I. 512.
 Sand Port, the, I. 281, II. 151.
 Sauchie, battle of, I. 67.
 Saxons, the, I. 9, 13.
 Searth, Mr. James, II. 233.
 Scotland and England, Union between, II. 56.
 Scotland in beginning of sixteenth century, I. 108, 111.
 Scotland, trade of, in beginning of sixteenth century, I. 131.
 Scottish Wholesale Co-operative Society, II. 368.
 Scourging, warrant for, II. 180.
 Seafeld Baths, II. 312.
 Seal of Leith, I. 17, 399, 410, 499, II. 32.
 Sequestration of the city of Edinburgh, II. 221, 254, 275.
 Sheep's Head Wynd, I. 308.
 Sheriff-brae, Logan's house in, II. 321.
 Sheriff-substitute appointed for Leith, II. 246.
 Shipbuilding in 1434, I. 43, 44.
 Shipbuilding in Leith, account of, II. 397.
 Ship captains, Leith, offer to serve their country, II. 179.
 Shipowners' Society, II. 205, 218.

Shipping—

Historical account of Leith shipping, II. 380.
 Arrestment of ships, I. 167, 418, 493.
 "Arrow" Line, II. 396.
 Capture of Leith ship in 1346, I. 23.
 Charter parties, I. 52, 102, 107, 412, 490, II. 331.
 Development of shipping in 1510, I. 115.
 Disputes, I. 363, 414, 418, 508.
 Dues, oppressive, I. 497, 512, II. 202.
 Ferry-boats, I. 52, 55, II. 389, 468.
 Ferry regulations, I. 363, II. 31, 32.
 Freights, ordinances regarding, I. 102, 107, 161, 182, 202, 208, 395, 411, 490.
 — in 1327, I. 20 ; in 1364, I. 24 ; in 1508, I. 135.
 — during Albany Regency, I. 144, 145.
 — dispute regarding, I. 137.
 Galloway Steam Packet Co. II. 366.
 General Steam Navigation Co., II. 391, 392.
Great Michael, I. 115, 119, 122, 123.
 Leith, Hamburg, and Rotterdam Shipping Co., II. 392.
 Leith, Hull, and Hamburg Steam Packet Co., II. 392.
 Loading of ships, I. 396, 397, 511.
 London and Edinburgh Shipping Co., II. 390, 391.
 London, Leith, Edinburgh, and Glasgow Shipping Co., II. 204.
Lord Aberdour steamboat, II. 366.
 North Sea disasters, II. 370, 378.
 Oppressive charges, I. 497, 512, II. 203.
 Prize ship, action as to, I. 153.
 Rouping of ships, I. 492.
 Sailors, strike of, II. 386.
 — wages of, I. 56.
 — restriction on number of, II. 381.
 — all idle men to serve as, II. 381.
 Shipbuilding in Leith, II. 397.
 Shipwreck, action as to, I. 409.
 Shipwrecks, list of, II. 376.
 Sixteenth century, Leith shipping in beginning of, I. 115, 131.
 Smacks and French privateers, II. 311.

Shipping—*continued.*

Smacks, Leith and London, II. 339.
 Steamships, introduction of, II. 219, 388.
 Storms, destructive, in 1833–84, II. 370, 371.
 Tonnage of Leith shipping, II. 382, 383, 384, 386, 394, 395.
 Whale fishing, II. 393.
Yellow Curvet, I. 56, 120.
 Shipwrecks, list of, II. 376.
 Shore, building of the, I. 16.
 — description of the, II. 137.
 — doorway in the, II. 182.
 — mutiny of Highlanders on the, II. 170.
 — repair of the, I. 395, 399, 482, 484, 510, 513.
 — sold to Edinburgh, I. 21, App. 1.
 — widened, II. 365.
 Smallpox in Leith, II. 365.
 Smart, Rev. Dr., biographical notice of, II. 571.
 Smith, Rev. Dr., biographical notice of, II. 577.
 Smuggling in the Forth, II. 165.
 Social life in beginning of seventeenth century, II. 61.
 Soldiers, disbandment of, I. 402.
 — quartered in Leith, II. 140, 156.
 Solway Moss, battle of, I. 176.
 Somerset, Duke of, I. 218. See also Hertford, Earl of.
 Spain, war declared against, II. 155.
 Spanish alliance, question of a, I. 455, 458.
 — Armada, I. 455, 460.
 — intrigues, I. 461.
 Spirit Duty Act, 1736, II. 153.
 Stage-coaches, Edinburgh and Leith, historical account of, II. 439.
 Stanley, H. M., visit to Leith, II. 367.
 Stevenson, Rev. Dr., biographical notice of, II. 586.
 Stewart, Captain James. See Arran, Earl of.
 Stewart, Esme, I. 434.
 Stingmen, I. 437.
 Stocks, the, II. 62.
 Storms at Leith, II. 58, 59, 370, 371.
 Street brawls, I. 103, 498, 499.
 Streets, obstruction of, I. 103.
 — repair of, I. 431, 473.
 Struthers, Dr. John, II. 372.
 Sugar House Close, "Old Staircase" in, II. 366.

Superiority of Leith—

Possessed by the Logans of Restalrig, I. 230.

1555. Mary of Lorraine purchases superiority from Logan of Restalrig, I. 231, II. 77, App. 3.

1555. Mary of Lorraine contracts to erect Leith into a burgh of barony, I. 231, II. 77.

1555. Mary of Lorraine grants letters-patent empowering inhabitants to choose bailies, I. 233, II. 77.

1565. Superiority pledged to Edinburgh in security for loan by Queen Mary, II. 78.

1567. Reversion of superiority bestowed on Earl of Bothwell by Queen Mary, II. 80, App. 4.

1567. Leith taken possession of by Edinburgh, II. 80.

1569. Conflict between Lords of Holyrood House and Edinburgh, II. 82.

1577. James VI. attempts to have superiority restored, II. 84.

1581. Quarrel over the money lent on the superiority of Leith, II. 87.

1587. Reversion of superiority conveyed to Lord Maitland of Thirlstane by James VI., II. 89, App. 5.

1603-36. Rights of Edinburgh over Leith confirmed by charters, II. 91, App. 6.

1607. Reversion of superiority purchased by Edinburgh, II. 90.

1639. Superiority of North Leith conveyed to Edinburgh, II. 91, App. 6.

1652. Inhabitants attempt to regain their freedom, II. 92.

1696. Inhabitants again attempt to regain their freedom, II. 140.

1833. Leith made a municipal burgh, II. 250.

1880. Purchase of superiorities by Leith, II. 298.

[See also City Clerk's Report to the Council (1806) on the title of the town to their property, etc., in Leith, II. App. 7.]

TAILORS, Incorporation of, II. 77.

Tantallon Castle, I. 262.

Taxation of Leith, I. 24, 408, 429, 485, 499, II. 35, 140, 265.

Taylor, John, the Water-Poet, II. 67.

Taylor, Provost, biographical notice of, II. 529.

Teind fish, I. 501, II. 88, 89, 460.

Thorburn, Rev. Dr., biographical notice of, II. 595.

Tibbie Fowler's house, II. 321.

Timber Bush. See Bourse.

Time, keeping of, II. 10.

Tithes, adjustment of, by Charles I., II. 94.

Tolbooth of Leith, I. 294, 353.

Tolbooth, sack of, by Macintosh of Borlaim, II. 149.

Tolbooth Wynd, I. 16, 294.

Tonnage. See Port of Leith.

Tournaments at Edinburgh, I. 98.

Town Clerk of Leith, I. 423, 432.

Trade of Leith—

Albany Regency, during, I. 144.

Export. See Port of Leith.

Fifteenth century, beginning of, I. 41, 42.

Fifteenth century, end of, I. 96.

Flanders, I. 61.

France, I. 64.

Import. See Port of Leith.

Oppressive ordinances on the, I. 51, 131, 153 (App. 29), 156, 199, 200, 217, 249, 390, 391, 396, 407, 422, 425, 427, 431, 474, 477, 485, 500, 503, 504.

Sixteenth century, in early part of, I. 109, 130.

Thirteenth century, in, I. 16.

[See also Port of Leith, Manufactures, and Shipping.]

Trade—

Ale, I. 135, 167, 168, 169.

Bread, I. 168.

Cloth, I. 171.

Fish, I. 156, 421, 476, 493, 495, 496, 501, 507.

Flour, I. 96.

Grain, II. 395.

Iron, I. 201, 212.

Lead, I. 500, 505, 506.

Malt, I. 132, 134, 166, 167, 242, 417, 479, 500.

Meal, I. 424, 429, 500.

Salt, I. 394, 423.

Tallow, I. 427.

Timber, I. 51, 55, 152 (Apps. 29 and 30), 153, 243, 332, 391, 392, 431, 481.

Wheat, I. 514.

Wine, I. 150, 157, 164, 167, 183, 184, 206, 248, 400, 402, 403, 404, 405.

Trained bands of Leith, II. 150, 159.

Tramway Commission, attempt to form a, II. 346.

- Tramways, Edinburgh and Leith, II. 445.
- Trinity, proposed dock at, II. 219, 291, 292.
- Trinity College, I. 499, 502.
- Trinity House, I. 303, II. 206, 214, 314.
- grant of lands to, I. 36.
- and the prime gilt, I. 303, 401, II. 203.
- Tumults, etc., I. 103, 498, 499.
- Tyrie, David, II. 124.
- UNION between England and Scotland, II. 56.
- Union Jack, II. 56.
- Union, Treaty of, II. 146.
- VEDDER, DAVID, II. 194.
- Victoria, Queen, visits to Leith, II. 306, 333.
- Volunteer Movement in Leith, II. 327.
- Volunteers, Artillery, II. 366.
- Volunteers, Royal Leith, II. 179.
- WALLS, ancient, between Forth and Clyde, I. 3, 4.
- Warbeck, Perkin, I. 99.
- Wars with England, I. 19, 26, 99, 106, 111, 118, 124, 141, 175, 188, 218.
- Water-bailie, I. 130, 160, 170, 211, 234, 492.
- Court, I. 74, 130, 137, 160, 170, 211.
- Water of Leith Commission, II. 344.
- Lane, I. 16, 301, II. 366.
- meters, I. 211.
- supply of Leith, II. 168, 244, 331.
- Trust, II. 331.
- Purification Scheme, II. 328.
- Watt, Provost, biographical notice of, II. 534.
- Watt's Hospital, II. 364.
- Weavers, Incorporation of, II. 77.
- Whale fishing, II. 393.
- Whiggamore Raid, II. 104.
- White, Provost, biographical notice of, II. 516.
- William and Mary, accession of, II. 139.
- William II., German Emperor, visit to Leith, II. 372.
- Wishart, George, I. 313.
- Witchcraft in seventeenth century, II. 136.
- trial for, II. 11.
- Wood, Sir Andrew, I. 68, 73, 117, 118, 119, 123.
- Wrights and coopers, I. 243.
- YARDHEADS bought by Edinburgh, II. 151.
- Yardheads, district of, II. 238.
- Fellow Carvel*, I. 58, 68, 73, 120.
- York, Duke of, II. 130, 132.
- and golf, II. 404.

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